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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 1 5 2013

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Tuesday, January 10, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Kim, moved to approve the Board Meeting Minutes of November 15, 2011, and November 22, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Mayor communicating the Mayor's Veto of legislation contained in File No. 110966 which would amend the San Francisco Park Code relating to a long term management agreement with National Park Service for Sharp Park. Due to the Winter Recess and cancelled meeting of January 3, 2012, this matter is being communicated and agendized at this Regular Meeting of January 10, 2012.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

111365 [Formal Policy Discussions - January 10, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 1, 3, 7, 9, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. As a result of the economic downturn, many of our City's commercial corridors are struggling with both vacant storefronts as well as the loss of long-standing community businesses. In District 1, we are working with the Office of Economic and Workforce Development to save the Balboa Theater from going under. The Balboa Theater is an important anchor business in the Richmond and one of the few remaining independent theaters in San Francisco. Small businesses are the biggest job producers in our City; I believe that helping them stay afloat should be one our highest priorities. Can you articulate specific plans or programs that your administration intends to implement in the coming year that will help our small business sector? (Supervisor Mar, District 1)

2. In the wake of the California Supreme Court decision abolishing Redevelopment, which has been a crucial funding source for affordable housing, what is your vision for creating much needed affordable housing in San Francisco? Specifically, will you support an affordable housing bond or some other dedicated source of funding? Will you streamline and consolidate the multiple agencies involved in affordable housing - including the Mayor's Office of Housing, the Housing Authority, along with functions from the soon-to-be-dismantled Redevelopment Agency? What direction should we take regarding our inclusionary housing requirements, which create some affordable housing when market rate housing is built? (Supervisor Chiu, District 3)

3. Given both the increased costs projected to complete the high speed rail system and the increased uncertainty regarding the sources of revenue for the project, what are the City's plans to ensure that the terminus at the Transbay Terminal remains a world-class project as originally envisioned with the extension of high speed rail into downtown San Francisco? (Supervisor Elsbernd, District 7)

4. I appreciate the budget policy priorities and guiding principles that you created together with community based organizations for the FY2011-2012 budget process. Will you abide by these principles when deciding how to close the projected general fund deficit of $262.7 million in the FY2012-2013 budget, and if so, can you explain how you will put these principles into practice? (Supervisor Campos, District 9)

5. While I am pleased that the San Francisco Municipal Transportation Agency is finally moving to extend the MUNI 14 Mission bus line to Daly City - a project I initiated in 2009. I am concerned that a major piece has yet to be addressed. In order to make this extension a resource that San Francisco residents can actually take advantage of, they must be able to use their Fast Passes/Clipper Cards at Daly City BART in the same manner and cost as they would be able to at a San Francisco station. Otherwise, this service is set up to fail before it even begins. What support can I expect from your office to make this a priority so that we, as a City, can demonstrate our commitment to equal access to services to our residents living in the southern most part of San Francisco? (Supervisor Avalos, District 11)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

111246 [Administrative Code - Health Service System Contracting Authority; Employee Benefit Cafeteria Plan]
Sponsor: Chu
Ordinance amending the San Francisco Administrative Code Sections 16.900 through 16.905 and 21.02 to update provisions regarding: 1) the San Francisco Health Service System's contracting authority; and 2) the City's Employee Benefit Cafeteria Plan.

Ordinance No. 003-12

FINALLY PASSED

111282 [Accept and Expend Grant - Reentry SF Program and Amendment to the Annual Salary Ordinance - $747,818]
Sponsor: Mayor
Ordinance authorizing the Adult Probation Department to retroactively accept and expend a grant in the amount of $747,818 from the United States Department of Justice to implement Reentry SF Program, a comprehensive reentry pathway for people on post-release community supervision in San Francisco, and amending Ordinance No. 0146-11 (Annual Salary Ordinance, FY2011-2012) to reflect addition of one (1) Class 1823 Senior Administrative Analyst grant-funded position (0.50 FTE) in the Adult Probation Department.
(Fiscal Impact)

Ordinance No. 004-12

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

110994 [Transportation Code - Clipper Card Regulations]
Ordinance amending the San Francisco Transportation Code, Article 7, Division I, by adding Section 7.2.104 to regulate the use of Clipper Cards on transit vehicles or in proof of payment zones. (Municipal Transportation Agency)

Ordinance No. 005-12

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

110845 [Zoning Map - Rezoning - 312 Connecticut Street]
Sponsor: Cohen
Ordinance amending the San Francisco Zoning Map Sheet No. ZN08 to: 1) rezone Assessor's Block No. 4035, Lot No. 003 (312 Connecticut Street) from RH-2 to NC-2; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 006-12

FINALLY PASSED

111209 [Mission Bay South - Storm Water Pump Station No. 4 Public Infrastructure Improvements]
Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Storm Water Pump Station No. 4 including acquisition facilities located on and under portions of State Trust Parcel Nos. 2 and 6; accepting said facilities for City maintenance and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 007-12

FINALLY PASSED

Recommendations of the Rules Committee

111286 [Settlement of Lawsuit - Patricia Sancinito - $75,000]
Ordinance authorizing settlement of the lawsuit filed by Patricia Sancinito against the City and County of San Francisco and Laguna Honda Hospital for $75,000; the lawsuit was filed on May 19, 2011, in San Francisco Superior Court, Case No. CGC-11-511076; entitled Patricia Sancinito v. City and County of San Francisco, Laguna Honda Hospital. (City Attorney)

Ordinance No. 001-12

FINALLY PASSED

111287 [Settlement of Lawsuit - Mitchell Engineering/Obayashi Corporation, JV - $14,950,000]
Ordinance authorizing settlement of the lawsuit entitled Mitchell Engineering/Obayashi Corporation JV (MEOC) v. City and County of San Francisco, et al., and related cross-actions, Santa Clara County Superior Court Case No. 1-08-CV-116915 by payment of $14,950,000 from the City to MEOC. (City Attorney)

Ordinance No. 008-12

FINALLY PASSED

111245 [Appointment, Treasury Oversight Committee - Peter Goldstein]
Motion appointing Peter Goldstein, term ending June 5, 2013, to the Treasury Oversight Committee. (Treasurer-Tax Collector)

Motion No. M12-001

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the Consent Agenda

Supervisor Elsbernd requested that File No. 111266 be severed so that it may be considered separately.

111266 [Appointments, Market and Octavia Community Advisory Committee - Krute Singa, Michael Simmons, Kenneth Wingard, Dennis Richards, and Jason Henderson]
Motion appointing Krute Singa, Michael Simmons, Kenneth Wingard, Dennis Richards, and Jason Henderson, terms ending December 16, 2012, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)
Krute Singa, seat 1, succeeding Marius Starkey, term expired, must be a resident renter and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2012.
Michael Simmons, seat 2, succeeding Carmela Gold, term expired, must be a resident homeowner and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2012.
Kenneth Wingard, seat 4, succeeding himself, term expired, must be a local merchant and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2012.
Dennis Richards, seat 5, succeeding himself, term expired, must be a representative of an established neighborhood group and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2012.
Jason Henderson, seat 6, succeeding himself, term expired, must be a member at large and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2012.

See File No. 120017.

DIVIDED; Supervisor Elsbernd divided consideration of Peter Cohen from File No. 111266.

APPROVED AS DIVIDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120017 [Appointment, Market and Octavia Community Advisory Committee - Peter Cohen]
Motion appointing Peter Cohen, term ending December 16, 2012, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Cohen, moved that this Motion be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 5 - Avalos, Campos, Kim, Mar, Olague

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

110966 [Park Code - Long Term Management Agreement with the National Park Service for Sharp Park]

Sponsor: Avalos

Ordinance amending the San Francisco Park Code Section 3.20 to: 1) require the Recreation and Park Department to offer long term management agreement to the National Park Service for certain property under the jurisdiction of the Recreation and Park Commission located in San Mateo County that is within the Golden Gate National Recreation Area's legislative boundary (Sharp Park); and 2) making environmental and other findings.

NOT APPROVED OVER THE MAYOR'S VETO by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Olague
Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

From the Board

Supervisor Olague Excused from Voting

Supervisor Campos, seconded by Supervisor Farrell, moved that Supervisor Olague be excused from voting on File No. 111366. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

111366 [Adopting Findings Related to the Conditional Use Authorization - 2041 Larkin Street]

Motion adopting findings supporting the Board's decision to: 1) disapprove the decision of the Planning Commission by its Motion No. 18448, approving Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street; and 2) to approve Conditional Use Authorization on property located at 2041 Larkin Street subject to all of the conditions imposed by the Planning Commission by its Motion No. 18448, regarding Application 2010.1083C, and further subject to additional conditions imposed by the Board of Supervisors on December 6, 2011. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

Motion No. M12-002

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

Supervisor Olague Excused from Voting

Supervisor Farrell, seconded by Supervisor Avalos, moved that Supervisor Olague be excused from voting on File No. 111367. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

111367 [Adopting Findings Related to the Conditional Use Authorization - 3901 Mission Street]

Motion adopting findings supporting the Board's decision to: 1) disapprove the decision of the Planning Commission by its Motion No. 18442, approving Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street; and 2) approve Conditional Use Authorization on property located at 3901 Mission Street subject to all of the conditions imposed by the Planning Commission by its Motion No. 18442, regarding Application No. 2011.0664C, and further subject to additional conditions imposed by the Board of Supervisors on December 13, 2011. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Mar, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

Motion No. M12-003

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

Recommendations of the Land Use and Economic Development Committee

111105 [Interdepartmental Jurisdictional Transfer of Property - 341 Corbett Avenue]
Sponsor: Wiener

Ordinance transferring jurisdiction of certain unimproved real property located at 341 Corbett Avenue (Assessor's Block No. 2659, Lot No. 059) between 19th Street and Danvers Street from the Mayor's Office of Housing to the Department of Public Works.

Ordinance No. 002-12

FINALLY PASSED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 5 - Avalos, Campos, Kim, Mar, Olague

111080 [Zoning Map - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]

Sponsor: Kim

Ordinance amending the San Francisco Planning Code Sectional Map ZN01 of the Zoning Maps to change the use classification of 676 Howard Street (Block No. 3722, Lot No. 28) from Public (P) to Downtown-Support District (C-3-S) and a portion of 935 Folsom Street (Block No. 3753, Lot No. 140) from Mixed Use-Residential (MUR) to Public (P) as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111213 [Summary Vacation - Hunt Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]

Sponsor: Kim

Ordinance ordering the summary vacation of Hunt Street as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111240 [General Plan Amendment - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]

Ordinance amending the San Francisco General Plan Map 2 of the Community Facilities Element as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; and adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Rules Committee

111050 [Administrative Code - San Francisco Sentencing Commission and Recidivism Reduction Ordinance of 2011]

Sponsors: Wiener; Farrell, Cohen and Chiu

Ordinance amending the San Francisco Administrative Code by adding Article XXV, Sections 5.250 through 5.250-4 to: 1) establish the San Francisco Sentencing Commission; 2) set forth the Commission's purpose, powers, and duties; and 3) establish membership criteria.

Supervisor Wiener, seconded by Supervisor Kim, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Ordinance amending the San Francisco Administrative Code by adding Article XXV, Sections 5.250 through 5.250-3 to: 1) establish the San Francisco Sentencing Commission; 2) set forth the Commission's purpose, powers, and duties; and 3) establish membership criteria.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

111190 [Administrative, Police Codes - Prevailing Rate of Wages Under City Contracts for Specified Services]

Sponsors: Wiener; Chiu, Campos, Mar, Kim, Cohen and Avalos

Ordinance amending the San Francisco Administrative Code Sections 21C.2 through 21C.6, and adding Section 21C.7 to: 1) specify the City contracts for services that are subject to the City's prevailing rate of wage requirement (Covered Contracts); 2) consolidate consistent standards for determining and enforcing prevailing rate of wage requirements in all Covered Contracts; 3) provide an employment transition period for workers under successor contracts to all Covered Contracts; 4) provide that all work on Covered Contracts be performed by employees and not independent contractors; and 5) amend the San Francisco Police Code Section 3300C.1 to make conforming changes.

Supervisors Mar, Kim, Cohen, and Avalos requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Noes: 1 - Elsbernd

111288 [Waiving the Competitive Bid Requirements and Approving Modified Indemnification Clause for the Design of a Runway Safety Area Engineered Material Arresting System]

Ordinance waiving the competitive bid requirements of San Francisco Administrative Code Chapter 6, approving a modified indemnification clause pursuant to the requirements of Chapter 6, and authorizing the Airport Commission to award a contract to complete the design of a runway safety area engineered material arresting system. (Airport Commission)
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111290 [Airport Lease Modification - United Air Lines, Inc.]

Resolution approving and authorizing the execution of Modification No. 1 of Lease L00-0464 at Plot 6 with United Air Lines, Inc., at San Francisco International Airport to: 1) extend the term; 2) reduce the demised premises; 3) modify the annual rent; 4) provide for a deferred City improvements payment to City; and 5) provide for certain terms of retroactivity relating to the rent and the deferred City improvements payment. (Airport Commission)

Resolution No. 001-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111308 [Real Property Lease - San Antonio Reservoir to Chevron Pipe Line Company]
Resolution: 1) authorizing the General Manager of the San Francisco Public Utilities Commission to execute a 20 year lease for an approximately 11.73 acre pipeline right-of- way near the San Antonio Reservoir in Alameda County to Chevron Pipe Line Company at an initial rent of $12,500 per year; 2) adopting environmental findings; and 3) authorizing other actions in furtherance of this Resolution. (Real Estate Department)

Resolution No. 002-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111309 [Contract Amendment - Xtech - $51,000,000]
Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and County of San Francisco and Xtech (part of the technology store procurement vehicle), in which the amendment shall increase the contract limit from $41,000,000 to $51,000,000. (Office of Contract Administration)
(Fiscal Impact)

Resolution No. 003-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111310 [Contract Amendment - Xtech - $60,000,000]
Resolution authorizing the Office of Contract Administration to enter into the Fourth Amendment between the City and County of San Francisco and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from $40,000,000 to $60,000,000. (Office of Contract Administration)

Resolution No. 004-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111311 [Contract Amendment - En Pointe Technology Sales, Inc. - $38,000,000]
Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and County of San Francisco and En Pointe Technology Sales, Inc. part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from $28,475,000 to $38,000,000. (Office of Contract Administration)

Resolution No. 005-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111318 [Accept and Expend Grant - Lead Hazard Reduction Demonstration Program for FY2011-2012 - $2,500,000 and Program Income Not to Exceed $200,000]
Sponsor: Mayor
Resolution authorizing the Mayor's Office of Housing to retroactively accept and expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in the amount of $2,500,000 and program income not to exceed $200,000.

Resolution No. 006-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Budget and Finance Committee Without Recommendation

111250 [Sale of City Property - Northeast Corner of Fulton and Gough Streets - Boys and Girls Clubs - $2,500,000]
Sponsors: Cohen; Chiu, Avalos, Mar and Kim
Resolution authorizing: 1) the sale of City property at the northeast corner of Fulton Street and Gough Street to the Boys and Girls Clubs of San Francisco for $2,500,000 subject to a declaration of economic covenants and a project use restriction; 2) adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and 3) authorizing other actions in furtherance of this Resolution.
(Fiscal Impact)

Supervisor Cohen assumed primary sponsorship for this matter.

Supervisor Olague, seconded by Supervisor Kim, moved that this Resolution be CONTINUED to January 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111317 [Real Property Lease - Bauer Intelligent Transportation, Inc. - Pier 50]
Sponsor: Chiu
Resolution approving Port Commission Lease No. L-15004 with Bauer Intelligent Transportation, Inc., a California Corporation, for certain real property located at Pier 50, Sheds A and C, in the City and County of San Francisco, for a term of ten years.

Supervisor Chu, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to January 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Government Audit and Oversight Committee

110770 [Municipal Transportation Agency Overtime Appropriations]
Sponsors: Campos; Farrell
Resolution encouraging the San Francisco Municipal Transportation Agency (SFMTA) to develop a plan and the SFMTA Board to adopt a policy to address overtime overruns in FY2011-2012 and subsequent years.

Resolution No. 009-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Rules Committee

111291 [Confirming Appointment, Entertainment Commission - Bryant Tan]
Motion confirming the Mayor's appointment of Bryant Tan to the Entertainment Commission, term ending July 1, 2015. (Mayor)

Motion No. M12-004

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111302 [Appointment, Entertainment Commission - Steven Lee]
Motion appointing Tim Eicher, term ending July 1, 2014, to the Entertainment Commission. (Clerk of the Board)
Tim Eicher, seat 2, succeeding Timothy Benetti, resigned, shall represent the interests of entertainment associations or groups, for the unexpired portion of a four-year term ending July 1, 2014.

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 6 - Avalos, Chiu, Cohen, Kim, Mar, Olague

Noes: 5 - Campos, Chu, Elsbernd, Farrell, Wiener

Motion appointing Steven Lee, term ending July 1, 2014, to the Entertainment Commission. (Clerk of the Board)
Steven Lee, seat 2, succeeding Timothy Benetti, resigned, shall represent the interests of entertainment associations or groups, for the unexpired portion of a four-year term ending July 1, 2014.

Motion No. M12-006

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Chu, seconded by Supervisor Farrell, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu introduced, welcomed, and presented a Certificate of Honor to Michael Funk of the Sunset Neighborhood Beacon Center in recognition of his 15 years of service to the children and families of the Sunset community and throughout the greater Bay Area upon his retirement.

SPECIAL ORDER 4:00 P.M.

Supervisor Olague Excused from Voting

Supervisor Campos, seconded by Supervisor Kim, moved that Supervisor Olague be excused from voting on File Nos. 111293, 111294, 111295, and 111296. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

111293 [Public Hearing - Appeal of Final Environmental Impact Report - SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project]

Hearing of persons interested in or objecting to the Planning Commission's decision, dated November 10, 2011, Certification of a Final Environmental Impact Report identified as Planning Case Nos. 2009.0291E and 2010.0275E by its Motion No. 18484, for a proposed expansion of the San Francisco Museum of Modern Art (SFMOMA), relocation of Fire Station No. 1, and Housing Project. (District 6) (Appellant: Christine W. Griffith on behalf of the KSSF Enterprises, Ltd., owner of the W Hotel San Francisco) (Filed November 30, 2011). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Christine Griffith (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Walter Paulson; Female Speaker; spoke in support of the appeal. Michael Jacinto (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Steven Vettel and Neal Benezra (Project Sponsors) provided an overview of the project. Lisa Hanazio; Fire Chief Joanne Hayes-White; Mike Theriot; Manny Flores; spoke in support of the project and in opposition to the appeal. Christine Griffith (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

111294 [Affirming Certification of Final Environmental Impact Report - SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Cohen
Excused: 1 - Olague

Supervisor Campos, seconded by Supervisor Mar, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

Motion No. M12-007

Supervisor Kim, seconded by Supervisor Campos, APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

111295 [Reversing Certification of Final Environmental Impact Report - SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Cohen
Excused: 1 - Olague

Supervisor Campos, seconded by Supervisor Mar, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

Supervisor Kim, seconded by Supervisor Campos, TABLED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

111296 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project]
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Cohen
Excused: 1 - Olague

Supervisor Campos, seconded by Supervisor Mar, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

SPECIAL ORDER 4:00 P.M.

111358 [Public Hearing - Appeal of a Final Environmental Impact Report - 34th America's Cup and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29]
Hearing of persons interested in or objecting to the Planning Commission's decision, dated December 15, 2011, Certification of a Final Environmental Impact Report identified as Planning Case No. 2010.0493E, for a proposed project involving America's Cup Sailing Races in the Summer/Fall of 2012 and 2013, including various waterfront venues, and a proposed project involving construction of the James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29. (District 3) (Appellants: Keith G. Wagner on behalf of San Francisco Tomorrow, Golden Gate Audubon Society, Waterfront Watch, and Telegraph Hill Dwellers, Filed December 19, 2011; Rebecca Evans on behalf of the San Francisco Group of the Sierra Club, Filed January 4, 2012). (Clerk of the Board)

Supervisor Chu, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED to January 24, 2012. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED to January 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

President CONTINUED the Hearing open to January 24, 2012.

111359 [Affirming Certification of Final Environmental Impact Report - 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29. (Clerk of the Board)

Supervisor Chu, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to January 24, 2012. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to January 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111360 [Reversing Certification of Final Environmental Impact Report - 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29. (Clerk of the Board)

Supervisor Chu, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to January 24, 2012. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to January 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111361 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to January 24, 2012. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to January 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMITTEE REPORTS

Recommendation of the Land Use and Economic Development Committee

111104 [Health Code - Regulating Commercial Dog Walkers on Park Property]
Sponsor: Wiener

Ordinance amending the San Francisco Health Code by adding Article 39, Sections 39.01 through 39.13, to license and regulate Commercial Dog Walkers operating on park property.

Supervisor Chu, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Avalos, seconded by Supervisor Elsbernd, made a motion that this Ordinance be AMENDED to add language relating to 'applying federal guidelines, as available.' Supervisor Avalos withdrew his motion without objection.

Supervisor Kim, seconded by Supervisor Avalos, made a motion that this Ordinance be AMENDED to reduce the number of dogs from '8' to '7.' Supervisor Kim withdrew her motion without objection.

Supervisor Chu, seconded by Supervisor Avalos, moved that this Motion be AMENDED to reduce the number of dogs from '8' to '7.' The motion FAILED by the following vote:
Ayes: 4 - Avalos, Chiu, Chu, Elsbernd
Noes: 7 - Campos, Cohen, Farrell, Kim, Mar, Olague, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Male Speaker; expressed various religious concerns.
Walter Paulson; shared in song certain concerns with the Board.
John Caldera; expressed various concerns relating to homeless veterans.
Chris Jerdonek; expressed various concerns relating to ranked choice voting.
Male Speaker; expressed various concerns.
Douglas Yep; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.
Steve Lightfoot; expressed various concerns.
Ray Hartz; expressed concerns relating to government.
Edmond Juicye; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

111347 [Accept and Expend Gift - World Cup Live 2010 at Civic Center Plaza - $96,000]
Sponsor: Mayor
Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend an in-kind gift, valued at $96,000 from America Scores Bay Area to support operating costs associated with presenting World Cup Live 2010 in Civic Center Plaza.

Resolution No. 007-12

ADOPTED

111348 [Multifamily Housing Revenue Bonds - Ridgeview Terrace - Not to Exceed $20,000,000]
Sponsor: Cohen
Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $20,000,000 for Ridgeview Terrace; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $20,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Resolution No. 008-12

ADOPTED

111349 [San Francisco Road Runners Club Day - January 21, 2012]
Sponsor: Elsbernd
Resolution recognizing the 10th Anniversary of the founding of the San Francisco Road Runners Club and proclaiming January 21, 2012, to be "San Francisco Road Runners Club Day" in the City and County of San Francisco.

Resolution No. 010-12

ADOPTED

111362 [Final Map 5954: 634 - 636 Plymouth Avenue]
Motion approving Final Map 5954, a Six Lot Subdivision Project, located at 634 - 636 Plymouth Avenue, being a subdivision of Assessors Block No. 7067, Lot No. 014; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M12-008

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Wiener requested that File No. 111352 be severed so that it may be considered separately.

111352 [Directing the Clerk of the Board of Supervisors to Work with KPOO Radio Regarding Broadcasting Board Meetings]
Sponsors: Mirkarimi; Mar
Motion directing the Clerk of the Board to work with KPOO Radio on a plan to enable the radio station to broadcast weekly San Francisco Board of Supervisors meetings and to implement the plan for such broadcasts.

Supervisor Mar requested to be added as a co-sponsor.

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

111079 [Administrative Code - Additional Pre-Approval Notice for Certain City Projects]
Sponsor: Farrell
Ordinance amending the San Francisco Administrative Code by adding Chapter 79A to expand upon the minimum notice requirements prior to approval of a City project that are mandated by the Citizens' Right-to-Know Act of 1998.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/3/2011.

01/10/12; SUBSTITUTED AND ASSIGNED to Rules Committee.

111333 [Appropriating $192,000,000 of Earthquake Safety and Emergency Response General Obligation Bonds to the Department of Public Works in FY2011-2012]
Sponsors: Mayor; Chiu, Chu and Cohen
Ordinance appropriating $192,000,000 of the 2012A Series Earthquake Safety and Emergency Response General Obligation Bond proceeds to the Department of Public Works in FY2011-2012 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster and placing these funds on Controller's Reserve pending the sale of the bonds.
(Fiscal Impact)

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

01/10/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

111334 [Appropriating $75,009,139 of 2008 Clean and Safe Park Bond to the Recreation and Park Department and Port Commission in FY2011-2012]
Sponsor: Mayor
Ordinance appropriating $75,009,139 of 2008 Clean and Safe Park Bond sale proceeds to fund the improvement and construction at various recreation and park facilities, including $61,185,271 in the Recreation and Park Department and $10,394,975 in the Port Commission for FY2011-2012.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

01/10/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

120018 [Re-Appropriating $1,574,127 of General Fund Reserves for State Revenue Loss to Support HIV/AIDS Programs at the Department of Public Health, FY2011-2012]
Sponsors: Mayor; Wiener, Campos and Olague
Ordinance re-appropriating $1,846,265 of General Fund reserves for State revenue loss to backfill federal funding reductions to HIV/AIDS programs at the Department of Public Health in FY2011-2012.

01/10/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120019 [Accept and Expend Grant - Legal Educational Advocacy Program and Amendment to the Annual Salary Ordinance, FY2011-2012 - $231,147]
Sponsor: Campos
Ordinance authorizing the San Francisco Public Defender's Office to retroactively accept and expend a grant in the amount of $231,147 from the Correction Standards Authority for the purpose of establishing a Legal Educational Advocacy Program; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one Class 8177 Trial Attorney grant-funded position (0.50 FTE) at the San Francisco Public Defender's Office.

01/10/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

120021 [Transfer of Assets, Obligations, and Functions to the City as Successor Agency for the Redevelopment Agency Upon its Dissolution as Required by State Law]
Sponsors: Mayor; Cohen, Kim, Olague and Chu

Resolution: 1) approving the retention by the City and County of San Francisco (the City) as successor agency to the Redevelopment Agency of the City and County of San Francisco (the Agency) of the Agency's affordable housing assets and functions upon the Agency's dissolution, including all funds in the Agency's Low and Moderate Income Housing Fund, and authorizing the Mayor's Office of Housing to manage these affordable housing assets and to exercise the housing functions that the Agency previously performed; 2) acknowledging that upon the Agency's dissolution the City as successor agency shall accept the transfer of all of the Agency's non-affordable housing assets, which shall be placed under the jurisdiction of the Director of the Department of Administrative Services unless otherwise provided for in the Charter, and that the Director shall have the authority to manage such assets and to exercise the functions that the Agency previously performed for such assets; 3) providing for the required payment and performance of enforceable obligations, the transfer and establishment of funds and accounts, and for the administration of funds and other assets, all associated with the City's exercise of its responsibilities as successor agency to the Agency under state law; 4) authorizing the new Oversight Board, which state law requires the City as successor agency to create, to oversee certain fiscal management of former Agency assets other than affordable housing assets, to exercise land use, development, and design approval authority under the enforceable obligations for the Mission Bay Redevelopment Project Area, Hunters Point Shipyard Project Area, and Zone 1 of the Bayview Hunters Point Redevelopment Project Area, and part of the Transbay Redevelopment Project Area, in place of the former Agency Commission, authorizing the Oversight Board to approve certain changes to such obligations, related documents and certain new agreements to implement those enforceable agreements, including review and approval for issuing bonds under such agreements, and authorizing the Director of the Department of Administrative Services to provide coordinated staff support to the Oversight Board, in the place of staff of the former Agency, in the exercise of these functions; 5) rescinding the designation of the Treasure Island Development Authority as a Redevelopment Agency; and 6) making findings under the California Environmental Quality Act.
(Fiscal Impact)

01/10/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120022 [Agreement - Motorola - Bay Area Regional Interoperable Communications Systems]
Sponsors: Mayor; Farrell and Chu

Resolution approving site access and use agreement with Motorola for the San Francisco sites to be used for the Bay Area 700 MHz public safety broadband spectrum to be managed and operated by the Bay Area Regional Interoperable Communications Systems for a term of 12 years; and making findings, including environmental findings.

01/10/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120024 [Financial Aid Awareness Week - January 16-22, 2012]
Sponsors: Campos; Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

Resolution proclaiming January 16 through January 22, 2012, as Financial Aid Awareness Week in the City and County of San Francisco.

01/10/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120025 [Opposing the United States Supreme Court's Decision in Citizens United and Supporting Related United States Constitutional Amendment]
Sponsors: Chiu; Cohen, Wiener, Olague, Kim, Mar, Avalos and Campos
Resolution opposing the United States Supreme Court's interpretation of the Constitution in Citizens United regarding the rights of corporations and supporting an amendment to the Constitution to provide that corporations are not entitled to the entirety of protections of natural persons.

01/10/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120026 [Accept and Expend Grant - State Boating and Safety Enforcement - $73,000]
Sponsor: Chiu
Resolution authorizing the Police Department to retroactively accept and expend a California State Department of Boating and Waterways grant in the amount of $73,000 for a Boating Safety and Enforcement grant to purchase equipment for the Marine Unit.

01/10/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120027 [Original Joe's Day - January 26, 2012]
Sponsors: Farrell; Elsbernd, Chiu, Kim, Chu and Campos
Resolution recognizing Original Joe's as a staple of San Francisco's history and tradition and proclaiming January 26, 2012, as Original Joe's Day in the City and County of San Francisco.

01/10/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120028 [Urging the National Academy of Arts and Sciences Reinstate 31 Categories of Music for GRAMMY Consideration]
Sponsor: Mar
Resolution urging the reinstatement of the 31 categories of music that were eliminated by the National Academy of Arts and Sciences for GRAMMY consideration on April 6, 2011.

01/10/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

120020 [Initiative Ordinance - Campaign & Governmental Conduct, Municipal Elections Codes - Improving Public Financing of Elections]
Sponsors: Campos; Avalos and Kim
Motion ordering submitted to the voters an ordinance authorizing the amendment of the Campaign and Governmental Conduct Code and Municipal Elections Code to adjust expenditure ceilings in the public financing program in response to the U.S. Supreme Court ruling in Arizona Free Enterprise v. Bennett, adjust public financing deadlines and thresholds, and advance candidate filing deadlines, at an election to be held on June 5, 2012.

01/10/12; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/9/2012.

120023 [Appointments, Redevelopment Successor Agency Oversight Board - Nadia Sesay, Olson Lee, John Rahaim, and Bob Muscat]
Sponsor: Mayor
Motion confirming the Mayor's appointments of Nadia Sesay, Olsen Lee, John Rahaim, and Bob Muscat to the Redevelopment Successor Agency Oversight Board.

01/10/12; RECEIVED AND ASSIGNED to Rules Committee.

Requests for Hearing

120029 [Hearing - Needs of Lesbian, Gay, Bisexual, and Transgender Seniors and Future Steps to Address Those Needs]
Sponsors: Wiener; Campos and Olague
Hearing to explore the needs of Lesbian, Gay, Bisexual, and Transgender (LGBT) seniors, to determine what the City is currently doing to meet those needs, and to explore additional steps needed by this growing population.

01/10/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120030 [Hearing - Transbay Terminal]
Sponsor: Elsbernd
Hearing on the future of the Transbay Terminal, including but not limited to discussion of the City's plans to ensure that terminal remains a world-class transit project.

01/10/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120031 [Hearing - Public Housing Repairs Programs and Allocations]
Sponsors: Olague; Cohen
Hearing and presentations from the San Francisco Housing Authority, Mayor's Office of Housing, Department of Public Works, and Department of Building Inspection to report on the status of the City's public housing repairs programs and the allocation of funds for these efforts.

01/10/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

111369 [Settlement of Lawsuit - Linda Iacovetta - $210,000]
Ordinance authorizing settlement of the lawsuit filed by Linda Iacovetta against the City and County of San Francisco for $210,000; the lawsuit was filed on August 4, 2011, in San Francisco Superior Court, Case No. CGC-10-502231; entitled Linda Iacovetta, et al. v. City and County of San Francisco, et al. (City Attorney)

12/12/11; RECEIVED FROM DEPARTMENT.

12/12/11; RECEIVED AND ASSIGNED to Rules Committee.

111370 [Settlement of Lawsuit - Metro Fuel, LLC - City to Receive $1,750,000; Approval of Settlement and Relocation Agreement; Waiver of Administrative Code Subsections 2.21(d) and (e)]

Ordinance: 1) authorizing settlement of the lawsuit filed by Metro Fuel against the City and County of San Francisco for payment to the City of $1,750,000; the lawsuit was filed on November 30, 2007, in the United States District Court for the Northern District of California, Case No. C07-6067 PJH; entitled Metro Fuel, LLC v. City and County of San Francisco, et al.; other material terms of said settlement include settlement of the City's notices of violation against unpermitted panel signs, setting up a process for approval of the relocation and disaggregation of existing lawful billboards to other locations and payment of settlement following the City's approval of relocation permits for such billboards; 2) approving a Relocation and Settlement Agreement for the relocation of certain existing lawful billboards; and 3) waiving the requirements of San Francisco Administrative Code Subsections 2.21(d) and (e). (City Attorney)

12/23/11; RECEIVED FROM DEPARTMENT.

12/23/11; RECEIVED AND ASSIGNED to Rules Committee.

111371 [Administrative Code - Appropriating $19,500,000 of Fund Balance to Support Required Reserves and Creating Special Funds for the CleanPowerSF Program]

Ordinance appropriating $19,500,000 of Hetch Hetchy fund balance at the Public Utilities Commission to support CleanPowerSF Community Choice Aggregation program consistent with the contractual requirements and budgetary authorizations as approved by the San Francisco Public Utilities Commission and the Board of Supervisors and adding Administrative Code Sections 10.100.372 and 10.100.373 to establish the CleanPowerSF Customer Fund and the CleanPowerSF Reserve Fund. (Public Utilities Commission)
(Fiscal Impact)

12/27/11; RECEIVED FROM DEPARTMENT.

12/27/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111372 [Settlement of Lawsuit - City to Receive $3,170,000 for Sale of Parcel in San Mateo County]

Ordinance authorizing settlement of a lawsuit filed by San Mateo County Transit District against the City and County of San Francisco and Artichoke Enterprises, Inc., aka Artichoke Joe's; and Does 1 through 50, to condemn and take by right of eminent domain property owned by the City and County of San Francisco located in San Bruno, California, for $3,170,000; the lawsuit was filed April 13, 2010, in San Mateo County Superior Court, Case No. CIV 494013; entitled San Mateo County Transit District v. City and County of San Francisco, Artichoke Enterprises, Inc. aka Artichoke Joe's; and Does 1 through 50, inclusive. (City Attorney)

12/30/11; RECEIVED FROM DEPARTMENT.

12/30/11; RECEIVED AND ASSIGNED to Rules Committee.

111373 [Settlement of Lawsuit - City to Pay $238,000 for Subsurface Easement in Alameda County]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; Union Sanitary District for the County of Alameda, State of California; and Does 1 through 100, to condemn and take by right of eminent domain a permanent subsurface easement of approximately 69,609 square feet in property owned by San Mateo County Transit District, located in Newark, California, commonly known as APNs 537-0551-020 and 537-0551-021-01; filed June 3, 2010, in Alameda County Superior Court, Case No. RG 10518243; entitled City and County of San Francisco v. San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; Union Sanitary District for the County of Alameda, State of California; and Does 1 through 100. (City Attorney)

12/30/11; RECEIVED FROM DEPARTMENT.

12/30/11; RECEIVED AND ASSIGNED to Rules Committee.

111374 [Planning Code - Creating a New Definition of Student Housing]

Sponsor: Wiener

Ordinance amending the San Francisco Planning Code by: 1) adding a new Section 102.36 to create a definition of Student Housing; 2) amending Section 135(d)(2) to adjust the minimum open space requirements for dwelling units that do not exceed 350 square feet, plus a bathroom; 3) amending Section 207(b)(3) to exempt Student Housing from the unit mix requirement in RTO, NCT, DTR, and Eastern Neighborhoods Mixed Used Districts; 4) amending Section 307 to permit the conversion of Student Housing into residential uses, when certain conditions are met; 5) amending Section 312 to require notice for a change of use to Group Housing; 6) amending Section 317 to prohibit the conversion of residential units into Student Housing; 7) amending Section 401 to make conforming amendments and amend the definition of Qualified Student Housing; and 7) making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)

12/15/11; RECEIVED FROM DEPARTMENT.

01/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/9/2012.

PROPOSED RESOLUTIONS

111376 [Settlement of Unlitigated Claim - Anita Scott - $200,000]

Resolution approving the settlement of the unlitigated claim filed by Anita Scott against the City and County of San Francisco for $200,000; claim was filed on September 23, 2011. (City Attorney)

12/23/11; RECEIVED FROM DEPARTMENT.

12/23/11; RECEIVED AND ASSIGNED to Rules Committee.

111377 [Settlement of Unlitigated Claim - Claire Himmel - $60,000]

Resolution approving the settlement of the unlitigated claim filed by Claire Himmel against the City and County of San Francisco for $60,000; claim was filed on September 26, 2011. (City Attorney)

12/23/11; RECEIVED FROM DEPARTMENT.

12/23/11; RECEIVED AND ASSIGNED to Rules Committee.

111378 [Agreement Amendment - Recology - Refuse Collection - Not to Exceed $29,337,527]

Resolution approving the Second Amendment to the Refuse Collection Agreement between the City and County of San Francisco and and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger, increasing the total not to exceed amount of the agreement from $23,537,527 to $29,337,527 under Charter Section 9.118(b).
(Fiscal Impact)

12/13/11; RECEIVED FROM DEPARTMENT.

12/13/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

John Buchanan - Entire Board
Arnold C. Ellis - Supervisor David Campos
Lillian Frances Dana Clarke - Supervisor Sean Elsbernd
Shirley Ahern - Supervisor Sean Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:52 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 28, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, January 24, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of December 6, 2011, and December 13, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener
Absent: 1 - Kim

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

111288 [Waiving the Competitive Bid Requirements and Approving Modified Indemnification Clause for the Design of a Runway Safety Area Engineered Material Arresting System]

Ordinance waiving the competitive bid requirements of San Francisco Administrative Code Chapter 6, approving a modified indemnification clause pursuant to the requirements of Chapter 6, and authorizing the Airport Commission to award a contract to complete the design of a runway safety area engineered material arresting system. (Airport Commission)
(Fiscal Impact)

Ordinance No. 009-12

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

111080 [Zoning Map - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]

Sponsor: Kim

Ordinance amending the San Francisco Planning Code Sectional Map ZN01 of the Zoning Maps to change the use classification of 676 Howard Street (Block No. 3722, Lot No. 28) from Public (P) to Downtown-Support District (C-3-S) and a portion of 935 Folsom Street (Block No. 3753, Lot No. 140) from Mixed Use-Residential (MUR) to Public (P) as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Ordinance No. 011-12

FINALLY PASSED

111213 [Summary Vacation - Hunt Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]

Sponsor: Kim

Ordinance ordering the summary vacation of Hunt Street as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.

Ordinance No. 013-12

FINALLY PASSED

111240 [General Plan Amendment - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]

Ordinance amending the San Francisco General Plan Map 2 of the Community Facilities Element as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; and adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

Ordinance No. 014-12

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener
Absent: 1 - Kim

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

111190 [Administrative, Police Codes - Prevailing Rate of Wages Under City Contracts for Specified Services]

Sponsors: Wiener; Chiu, Campos, Mar, Kim, Cohen and Avalos

Ordinance amending the San Francisco Administrative Code Sections 21C.2 through 21C.6, and adding Section 21C.7 to: 1) specify the City contracts for services that are subject to the City's prevailing rate of wage requirement (Covered Contracts); 2) consolidate consistent standards for determining and enforcing prevailing rate of wage requirements in all Covered Contracts; 3) provide an employment transition period for workers under successor contracts to all Covered Contracts; 4) provide that all work on Covered Contracts be performed by employees and not independent contractors; and 5) amend the San Francisco Police Code Section 3300C.1 to make conforming changes.

Ordinance No. 012-12

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Mar, Olague, Wiener
Noes: 1 - Elsbernd
Absent: 1 - Kim

Supervisor Kim was noted present at 2:11 p.m.

From the Budget and Finance Committee Without Recommendation

111250 [Sale of City Property - Northeast Corner of Fulton and Gough Streets - Boys and Girls Clubs - $2,500,000]

Sponsors: Cohen; Chiu, Avalos, Mar and Kim

Resolution authorizing: 1) the sale of City property at the northeast corner of Fulton Street and Gough Street to the Boys and Girls Clubs of San Francisco for $2,500,000 subject to a declaration of economic covenants and a project use restriction; 2) adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and 3) authorizing other actions in furtherance of this Resolution.
(Fiscal Impact)

Supervisor Olague, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Olague requested to be added as a co-sponsor.

Resolution No. 015-12

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111317 [Real Property Lease - Bauer Intelligent Transportation, Inc. - Pier 50]
Sponsor: Chiu

Resolution approving Port Commission Lease No. L-15004 with Bauer Intelligent Transportation, Inc., a California Corporation, for certain real property located at Pier 50, Sheds A and C, in the City and County of San Francisco, for a term of ten years.

Supervisor Chiu, seconded by Supervisor Wiener, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution approving CEQA Findings and Mitigation Monitoring and Reporting Program, and Port Commission Lease No. L-15004 with Bauer Intelligent Transportation, Inc., a California Corporation, for certain real property located at Pier 50, Sheds A and C, in the City and County of San Francisco, for a term of ten years.

Supervisor Chiu, seconded by Supervisor Chu, moved that this Resolution be CONTINUED AS AMENDED to January 31, 2012, with the Board of Supervisors sitting as a Committee of the Whole. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

110789 [Liquor License Transfer - 3950-24th Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 6333 Geary Boulevard to 3950-24th Street (District 8) to Roberta L. Lang for Whole Foods Market, California. Inc., dba Whole Foods Market, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Clerk of the Board)
(Supervisor Mar dissented in Committee.)

Supervisor Wiener, seconded by Supervisor Mar, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Land Use and Economic Development Committee

111104 [Health Code - Regulating Commercial Dog Walkers on Park Property]
Sponsor: Wiener

Ordinance amending the San Francisco Health Code by adding Article 39, Sections 39.01 through 39.13, to license and regulate Commercial Dog Walkers operating on park property.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Ordinance be AMENDED on Page 7, Line 4, by deleting 'for considerion.' The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Rules Committee

111050 [Administrative Code - San Francisco Sentencing Commission and Recidivism Reduction Ordinance of 2011]
Sponsors: Wiener; Farrell, Cohen and Chiu
Ordinance amending the San Francisco Administrative Code by adding Article XXV, Sections 5.250 through 5.250-3 to: 1) establish the San Francisco Sentencing Commission; 2) set forth the Commission's purpose, powers, and duties; and 3) establish membership criteria.

Ordinance No. 010-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

111208 [Administrative Code - Public Guardian/Public Administrator Gift Fund]
Ordinance amending the San Francisco Administrative Code by adding Section 10.100-190 to create a Public Guardian/Public Administrator Gift Fund to support the operations of the Public Guardian's Office, including needs assessment and conservatorship services for vulnerable persons who are unable to manage their basic personal or financial needs. (Human Services Department)
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111333 [Appropriating $192,000,000 of Earthquake Safety and Emergency Response General Obligation Bonds to the Department of Public Works in FY2011-2012]
Sponsors: Mayor; Chiu, Chu and Cohen
Ordinance appropriating $192,000,000 of the 2012A Series Earthquake Safety and Emergency Response General Obligation Bond proceeds to the Department of Public Works in FY2011-2012 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster and placing these funds on Controller's Reserve pending the sale of the bonds.

Supervisors Chiu, Chu, and Cohen requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111344 [Earthquake Safety and Emergency Response General Obligation Bonds Sale - Not to Exceed $192,000,000]

Sponsors: Mayor; Chiu and Chu

Resolution authorizing and directing the sale of not to exceed $192,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010) Series 2012A; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; declaring the City's intent to reimburse certain expenditures; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

Supervisor Chu requested to be added as a co-sponsor.

Resolution No. 017-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111334 [Appropriating $75,009,139 of 2008 Clean and Safe Park Bond to the Recreation and Park Department and Port Commission in FY2011-2012]

Sponsor: Mayor

Ordinance appropriating $75,009,139 of 2008 Clean and Safe Park Bond sale proceeds to fund the improvement and construction at various recreation and park facilities, including $61,185,271 in the Recreation and Park Department and $10,394,975 in the Port Commission for FY2011-2012 and placing $7,700,000 on Budget and Finance Committee reserve pending additional review of the project plan by the Budget and Finance Committee.
(Fiscal Impact)

Supervisor Mar, seconded by Supervisor Chu, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Noes: 2 - Avalos, Campos

Ordinance appropriating $75,009,139 of 2008 Clean and Safe Park Bond sale proceeds to fund the improvement and construction at various recreation and park facilities, including $61,185,271 in the Recreation and Park Department and $10,394,975 in the Port Commission for FY2011-2012

Supervisor Chu requested to be added as a co-sponsor.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111345 [Clean and Safe Neighborhood Parks General Obligation Bonds Sale - Not to Exceed $75,009,139]

Sponsors: Mayor; Chu

Resolution authorizing and directing the sale of not to exceed $75,009,139 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks Bonds, 2008) Series 2012B; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; declaring the City's intent to reimburse certain expenditures; waiving the deadline for submission of bond accountability reports; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

Supervisor Chu requested to be added as a co-sponsor.

Resolution No. 018-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Cohen was noted absent at 2:30 p.m. and noted present at 2:40 p.m.

Privilege of the floor was granted to Douglas Legg (Department of Public Works) who responded to questions raised throughout the discussion relating to File Nos. 111335, 111343, and 111346.

111335 [Appropriating $76,500,000 of Road Repaving and Street Safety General Obligation Bonds to the Department of Public Works and the Municipal Transportation Agency in FY2011-2012]

Sponsors: Mayor; Wiener and Chu

Ordinance appropriating $76,500,000 of the 2012C Series Road Repaving and Street Safety General Obligation Bond proceeds including $71,587,375 to the Department of Public Works and $4,912,625 to the Municipal Transportation Agency for street resurfacing, sidewalk, curb ramp, street structure improvements, the redesign of streetscapes to include pedestrian and bicycle safety improvements, and traffic signal improvements to support transit priority for FY2011-2012 and placing these funds on Controller's Reserve pending the sale of the bonds.
(Fiscal Impact)

Supervisor Chu requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111343 [General Obligation Bonds - Road Repaving and Street Safety - Not to Exceed $248,000,000]

Sponsors: Mayor; Chu

Resolution providing for the issuance of not to exceed $248,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Road Repaving and Street Safety Bonds, 2011); authorizing the execution, authentication, and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; declaring the City's intent to reimburse certain expenditures; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

Supervisor Chu requested to be added as a co-sponsor.

Resolution No. 024-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111346 [Road Repaving and Street Safety General Obligation Bonds Sale - Not to Exceed $76,500,000]

Sponsors: Mayor; Wiener and Chu

Resolution authorizing and directing the sale of not to exceed $76,500,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Road Repaving and Street Safety Bonds, 2011) Series 2012C; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; declaring the City's intent to reimburse certain expenditures; adopting certain CEQA findings; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

Supervisor Chu requested to be added as a co-sponsor.

Resolution No. 025-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111241 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution approving the 36th Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to increase the premises by adding Building 449 located at Avenue C and 4th Street. (Treasure Island Development Authority)

Resolution No. 012-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111242 [Sublease Amendment - Swords to Plowshares, Inc. - 1441 and 1443 Chinook Court]

Resolution authorizing the execution of a Second Amendment to Sublease between the Treasure Island Development Authority and Swords to Plowshares, Inc., for premises located at 1441 and 1443 Chinook Court. (Treasure Island Development Authority)

Resolution No. 013-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111243 [Sublease Amendment - Haight Ashbury Free Clinics, Walden House - 1440 Chinook Court]

Resolution authorizing the execution of a Third Amendment to Sublease and Consent to Assignment between the Treasure Island Development Authority and Haight Ashbury Free Clinics, Inc., dba Haight Ashbury Free Clinics - Walden House, for premises located at 1440 Chinook Court. (Treasure Island Development Authority)

Resolution No. 014-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111342 [Accept and Expend Grant - Intertie Project - $1,098,202]

Sponsor: Mayor

Resolution authorizing the San Francisco Public Utilities Commission to retroactively accept and expend a California Department of Public Health administered grant in the amount of $1,098,202 for the San Francisco Public Utilities Commission share of a San Francisco Public Utilities Commission/East Bay Municipal Utility District Intertie Project.

Resolution No. 016-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111350 [San Francisco Unified School District General Obligation Bonds - Not to Exceed $531,000,000]

Sponsor: Kim

Resolution authorizing the San Francisco Unified School District to issue and sell, on its own behalf, its General Obligation Bonds approved by at least 55% of the voters at the November 8, 2011, election without further action by this Board of Supervisors or any other officer of the City and County of San Francisco; ratifying certain actions previously taken; and granting general authority to City and County of San Francisco officials to take necessary actions in connection with the issuance of the General Obligation Bonds by the San Francisco Unified School District; and providing prior notice to the City and County of San Francisco for the anticipated sale and issuance of any future series of bonds.
(Fiscal Impact)

Resolution No. 019-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111351 [Accept and Expend Gift - Glen Canyon Park - $483,250]
Sponsor: Wiener
Resolution authorizing the Recreation and Parks Department to retroactively accept and expend a gift-in-place valued up to $483,250 from the Trust for Public Land for the Glen Canyon Park Improvement Plan and the related outreach process.

Resolution No. 020-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120021 [Transfer of Assets, Obligations, and Functions to the City as Successor Agency for the Redevelopment Agency Upon its Dissolution as Required by State Law]
Sponsors: Mayor; Cohen, Kim, Olague and Chu
Resolution: 1) approving the retention by the City and County of San Francisco (the City) as successor agency to the Redevelopment Agency of the City and County of San Francisco (the Agency) of the Agency's affordable housing assets and functions upon the Agency's dissolution, including all funds in the Agency's Low and Moderate Income Housing Fund, and authorizing the Mayor's Office of Housing to manage these affordable housing assets and to exercise the housing functions that the Agency previously performed; 2) acknowledging that upon the Agency's dissolution the City as successor agency shall accept the transfer of all of the Agency's non-affordable housing assets, which shall be placed under the jurisdiction of the Director of the Department of Administrative Services unless otherwise provided for in the Charter, and that the Director shall have the authority to manage such assets and to exercise the functions that the Agency previously performed for such assets; 3) providing for the required payment and performance of enforceable obligations, the transfer and establishment of funds and accounts, and for the administration of funds and other assets, all associated with the City's exercise of its responsibilities as successor agency to the Agency under state law; 4) authorizing the new Oversight Board, which state law requires the City as successor agency to create, to oversee certain fiscal management of former Agency assets other than affordable housing assets, to exercise land use, development, and design approval authority under the enforceable obligations for the Mission Bay Redevelopment Project Area, Hunters Point Shipyard Project Area, and Zone 1 of the Bayview Hunters Point Redevelopment Project Area, and part of the Transbay Redevelopment Project Area, in place of the former Agency Commission, authorizing the Oversight Board to approve certain changes to such obligations, related documents and certain new agreements to implement those enforceable agreements, including review and approval for issuing bonds under such agreements, and authorizing the Director of the Department of Administrative Services to provide coordinated staff support to the Oversight Board, in the place of staff of the former Agency, in the exercise of these functions; 5) rescinding the designation of the Treasure Island Development Authority as a Redevelopment Agency; and 6) making findings under the California Environmental Quality Act.
(Fiscal Impact)

Supervisor Chu requested to be added as a co-sponsor.

Supervisor Cohen, seconded by Supervisor Kim, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Cohen, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Cohen, seconded by Supervisor Chu, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution No. 011-12

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Budget and Finance Committee Without Recommendation

111332 [Appropriating $4,442,514 of Fund Balance and Interest Earnings from the Sale of the Watermark Land and Condominiums to the Port Commission in FY2011-2012]
Sponsor: Mayor

Ordinance appropriating $4,442,514 consisting of $3,709,630 in fund balance and $732,884 in interest earnings from the sale of the Watermark Land and Condominiums to the Port Commission in FY2011-2012 to be used for the development of the Brannan Street Wharf and the Mixed-Use Cruise Terminal at Pier 27 and placing $614,000 on Controller's Reserve pending receipt of the projected interest earnings.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Government Audit and Oversight Committee

111067 [Administrative Code - Updating Job Classifications and Bargaining Units]
Ordinance amending the San Francisco Administrative Code Sections 16.200 through 16.222 to reflect changes in job classifications. (Human Resources Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Land Use and Economic Development Committee

111285 [Changing the Official Sidewalk Width - Portion of Mason Street]
Sponsor: Chiu

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1590 to change the official sidewalk width of Mason Street starting at the southwest corner of the intersection of Mason Street and Washington Street and continuing south 29.52 feet, making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

Supervisor Chiu requested to be added as sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Cohen, seconded by Supervisor Chiu, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to airmen from the William "Bill" Campbell Chapter of the Tuskegee Airmen in recognition of their service, accomplishments, and continued community support.

SPECIAL ORDER 4:00 P.M.

Supervisor Olague Excused from Voting

Supervisor Farrell, seconded by Supervisor Campos, moved that Supervisor Olague be excused from voting on File Nos. 111358, 111359, 111360, and 111361. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

111358 [Public Hearing - Appeal of a Final Environmental Impact Report - 34th America's Cup and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29]

Hearing of persons interested in or objecting to the Planning Commission's decision, dated December 15, 2011, Certification of a Final Environmental Impact Report identified as Planning Case No. 2010.0493E, for a proposed project involving America's Cup Sailing Races in the Summer/Fall of 2012 and 2013, including various waterfront venues, and a proposed project involving construction of the James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29. (District 3) (Appellants: Keith G. Wagner on behalf of San Francisco Tomorrow, Golden Gate Audubon Society, Waterfront Watch, and Telegraph Hill Dwellers, Filed December 19, 2011; Rebecca Evans on behalf of the San Francisco Group of the Sierra Club, Filed January 4, 2012). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Tom Lippe (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Jennifer Clary; Lisa Tracy; Mark Welther; Ruben Hechianova; Chris Bruno; Diane Walton; Bill Wygant; Ken Coren; Cathy Bump; Jeff Russell; Deb Self; Terri Shore; Yoko Kai; Stan Heynsky; Seth Ketzman; Tony Kelly; Andrew Wood; Female Speaker; Gil Guchita; Hunter Cutting; former Supervisor Aaron Peskin; spoke in support of the appeal. Joy Navarette, Bill Wycko, and Chris Kern (Planning Department), Kate Stacy (City Attorney's Office), Kelley Capone and Brad Benson (Port), David Rio and Joy Shalt (Consultants), provided an overview of the decision of the Planning Commission and responded to questions raised throughout the discussion. Mike Martin (Office of Economic and Workforce Development), Brad Benson (Port), Monique Moyer, Port Executive Director, and Mary Murphy (Event Authority), speaking as Project Sponsors, provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Peter Stoneberg; John Super; Liz; John Arndt; Male Speaker; Peter Olnay; Mike Villeggiante; Jason Santana; Kevin Berry; Norman Pearce; Jim Lazarus; George Broder; Veronica Sanchez; Dale Carlson; Paul Kaplan; Paul Oliva; Cristina Rubkl; John Sindery; Sam Manning; John Platt; spoke in support of the project and in opposition to the appeal. Tom Lippe (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

111359 [Affirming Certification of Final Environmental Impact Report - 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

Motion No. M12-011

Supervisor Cohen, seconded by Supervisor Chiu, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

111360 [Reversing Certification of Final Environmental Impact Report - 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29. (Clerk of the Board)

Supervisor Cohen, seconded by Supervisor Chiu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

111361 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29.

Supervisor Cohen, seconded by Supervisor Chiu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague

Supervisor Olague was noted present at 8:13 p.m.

COMMITTEE REPORTS

Recommendations of the Rules Committee

Supervisor Mar Excused from Voting

Supervisor Avalos, seconded by Supervisor Campos, moved that Supervisor Mar be excused from voting on File No. 120004. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Excused: 1 - Mar

120004 [Appointment, San Francisco LAFCo - Supervisor Eric Mar]
Motion appointing Supervisor Eric Mar, as an alternate member, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

Motion No. M12-010

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Excused: 1 - Mar

120023 [Appointments, Redevelopment Successor Agency Oversight Board - Nadia Sesay, Olson Lee, John Rahaim, and Bob Muscat]
Sponsor: Mayor
Motion confirming the Mayor's appointments of Nadia Sesay, Olson Lee, John Rahaim, and Bob Muscat to the Redevelopment Successor Agency Oversight Board.

Supervisor Cohen, seconded by Supervisor Kim, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Cohen, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Cohen, seconded by Supervisor Chu, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Motion No. M12-009

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Land Use and Economic Development Committee

111078 [Planning Code and Zoning Map Amendments - India Basin Industrial Park]
Sponsor: Cohen
Ordinance: 1) amending the San Francisco Planning Code Section 249.42 to allow outpatient medical care clinics; 2) amending the San Francisco Planning Code Zoning Map Sheet 8 SU to add parcels in Assessor's Block No. 5211, Lot Nos. 29 through 54 to the India Basin Special Use District, and remove the parcel in Assessor's Block No. 5211, Lot No. 28 from the Design and Development Special Use District and add it to the India Basin Special Use District; and 3) making environmental findings and findings of consistency with general plan.

This item was not sent as a Committee Report.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government.
Gerald Banks; expressed various concerns.
Male Speaker; expressed various religious concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.
Eugene Gordon, Jr.; expressed various concerns.
Barbara Tengeri; expressed various concerns.
Francisco Da Costa; expressed various concerns.
Walter Paulson; shared in song certain concerns with the Board.
Ace Washington; expressed various concerns relating to ranked choice voting.
Douglas Yep; expressed various concerns.
Jackkee Bryson; expressed various concerns.
Diane Wesley-Smith; expressed various concerns relating to the Bayview community.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120024 [Financial Aid Awareness Week - January 16-22, 2012]
Sponsors: Campos; Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener
Resolution proclaiming January 16 through January 22, 2012, as Financial Aid Awareness Week in the City and County of San Francisco.

Resolution No. 021-12

ADOPTED

120026 [Accept and Expend Grant - State Boating and Safety Enforcement - $73,000]
Sponsor: Chiu

Resolution authorizing the Police Department to retroactively accept and expend a California State Department of Boating and Waterways grant in the amount of $73,000 for a Boating Safety and Enforcement grant to purchase equipment for the Marine Unit.

Resolution No. 022-12

ADOPTED

120034 [Final Map 5565: 421 Arguello Boulevard]

Motion approving Final Map 5565, an Eight Unit Residential Condominium Project, located at 421 Arguello Boulevard, being a subdivision of Assessor's Block No. 1433, Lot No. 003; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

Motion No. M12-012

APPROVED

120035 [Final Map 6460: 19 Tehama Street]

Motion approving Final Map 6460, a Four Unit Residential and One Unit Commercial Mixed-Use Condominium Project, located at 19 Tehama Street, being a subdivision of Assessor's Block No. 3736, Lot No. 079; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

Motion No. M12-013

APPROVED

120036 [Final Map 6892: 411-415 Valencia Street]

Motion approving Final Map 6892, a 16 Unit Residential and Two Unit Commercial Mixed-Use Condominium Project, located at 411-415 Valencia Street, being a subdivision of Assessor's Block No. 3554, Lot No. 027; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

Motion No. M12-014

APPROVED

120037 [Final Map 5773: 1501, 1503, 1513 and 1515 Waller Street; 701 and 703 Clayton Street]

Motion approving Final Map 5773, a Four Unit Residential and Two Unit Commercial Unit, Mixed-Use Condominium Project, located at 1501, 1503, 1513, and 1515 Waller Street; 701 and 703 Clayton Street; being a subdivision of Assessor's Block No. 1253, Lot No. 001; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

Motion No. M12-015

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Farrell requested that File Nos. 120025 and 120027 be severed so that they may be considered separately.

120025 [Opposing the United States Supreme Court's Decision in Citizens United and Supporting Related United States Constitutional Amendment]
Sponsors: Chiu; Cohen, Wiener, Olague, Kim, Mar, Avalos and Campos
Resolution opposing the United States Supreme Court's interpretation of the Constitution in Citizens United regarding the rights of corporations and supporting an amendment to the Constitution to provide that corporations are not entitled to the entirety of protections of natural persons.

Supervisor Farrell, seconded by Supervisor Chu, moved that this Resolution be CONTINUED to January 31, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120027 [Original Joe's Day - January 26, 2012]
Sponsors: Farrell; Elsbernd, Chiu, Kim, Chu and Campos
Resolution recognizing Original Joe's as a staple of San Francisco's history and tradition and proclaiming January 26, 2012, as Original Joe's Day in the City and County of San Francisco.

Supervisors Chu and Campos requested to be added as co-sponsors.

Resolution No. 023-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that File No. 120028 be severed so that it may be considered separately.

120028 [Urging the National Academy of Arts and Sciences Reinstate 31 Categories of Music for GRAMMY Consideration]
Sponsor: Mar
Resolution urging the reinstatement of the 31 categories of music that were eliminated by the National Academy of Arts and Sciences for GRAMMY consideration on April 6, 2011.

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to January 31, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

111082 [Campaign and Governmental Conduct and Municipal Elections Codes - Amending Public Financing Program]
Sponsors: Kim; Campos, Mar and Avalos
Ordinance amending the Campaign and Governmental Conduct Code and the Municipal Elections Code to modify expenditure ceilings for the City's public financing program, to delay the date on which public funds may be disbursed, to change the qualification requirements for participating candidates, and to advance the date by which all local candidates must file their nomination papers.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/3/2011.

10/12/11; REFERRED TO DEPARTMENT.

01/24/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

120044 [Administrative Code - Reporting Responsibilities Relating to the Centralized and Publicly Accessible Online Database of Appointments to Advisory Bodies]
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code Sections 1.57-2 through 1.57-5, to clarify the reporting responsibilities relating to the centralized and publicly accessible online database of information concerning appointments to City and County of San Francisco advisory bodies.

01/24/12; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

120045 [Revising Findings - Contract Approval for Design and Construction of New Fire Station - 935 Folsom Street]
Sponsor: Kim
Ordinance amending Ordinance No. 218-10 to revise the findings supporting the waiver of Chapter 6 of the Administrative Code for a Conditional Land Disposition and Acquisition Agreement between the City and the San Francisco Museum of Modern Art for the design and construction of the new fire station to be located at 935 Folsom Street, San Francisco, California.
(Fiscal Impact)

01/24/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120046 [Administrative Code - Establish Policy Regarding Participation in Federal Counterterrorism Activities]
Sponsors: Kim; Avalos and Campos
Ordinance amending the San Francisco Administrative Code by adding Section 2A.84 to: 1) set City policy regarding participation in federal counterterrorism activities; 2) set parameters for Police Department participation in the activities of the Federal Bureau of Investigation's Joint Terrorism Task Force and other counterterrorism activities; 3) urging the Chief of Police to amend or terminate the current agreement between the Police Department and the Federal Bureau of Investigation regarding the Joint Terrorism Task Force; and 4) urging the Police Commission to direct the Chief to amend or terminate that agreement.

01/24/12; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 2/23/2012.

120047 [Planning Code - Including Financial Services Within Definition of Formula Retail]
Sponsor: Mar
Ordinance amending the San Francisco Planning Code by: 1) amending Section 703.3(c) to include financial services within the uses subject to formula retail controls in Neighborhood Commercial Districts; 2) amending Section 806.3(c) including financial services within the uses subject to formula retail controls in Mixed Use Districts; 3) amending Section 303.3(i) making conforming amendments; and 4) making findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and with the Priority Policies of Planning Code Section 101.1.

01/24/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/23/2012.

120048 [Health Code - Food Security Task Force]
Sponsor: Mar
Ordinance amending the San Francisco Health Code Sections 470.1 and 470.2 to: 1) extend the sunset provisions of the Food Security Task Force to January 30, 2015; 2) change the agencies and organizations from which members are appointed; 3) increase the number of members; and 4) making findings including environmental findings.

01/24/12; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/23/2012.

120049 [Appropriating $1,000,000 for the Small Business Revolving Loan Fund Program - Office of Economic and Workforce Development]
Sponsors: Mayor; Chiu, Wiener, Olague, Farrell and Kim
Ordinance appropriating $1,000,000 of General Fund prior year fund balance for the Small Business Revolving Loan Fund Program in the Office of Economic and Workforce Development for FY2011-2012.
(Fiscal Impact)

01/24/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120050 [Administrative Code - Health Service System Plans and Contribution Rates]
Sponsor: Chu
Ordinance amending the San Francisco Administrative Code, Chapter 16, Article XV, of Part 1, Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

01/24/12; ASSIGNED to Budget and Finance Committee.

Resolutions

120051 [Establishing Monthly Contribution Amount to the Health Service Trust Fund]
Sponsor: Chu
Resolution establishing the monthly contribution amount to the Health Service Trust Fund. (Fiscal Impact)

120052 [Approval of a 90-Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]
Sponsor: Cohen
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) amending the Planning Code by amending Sectional Map SU08 of the Zoning Map of the City and County of San Francisco and adding Planning Code Section 249.66 to: 1) establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and 2) making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

120053 [Supporting President Barack Obama's Summer Jobs+ Plan and Recommending Similar Plan]
Sponsor: Elsbernd
Resolution supporting President Barack Obama's Summer Jobs+ plan and recommending the development of a similar plan for youth in San Francisco.

120054 [Supporting the California Cancer Research Act]
Sponsor: Mar
Resolution supporting the California Cancer Research Act.

120055 [Authorization to Apply for Strategic Growth Council Sustainable Communities Planning Grant]
Sponsor: Mayor
Resolution authorizing the San Francisco Planning Department to apply for a planning grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to implement the Strengthening Neighborhoods Program.

Requests for Hearing

120056 [Hearing - City's Plans on State Actions Dissolving the San Francisco Redevelopment Agency]
Sponsors: Chu; Avalos, Cohen, Kim and Olague
Hearing to receive update on the City's plans in light of State actions dissolving the San Francisco Redevelopment Agency to include: 1) impacts to General Fund; 2) organization structure and staffing; 3) impacted project areas; 4) status of Low-Moderate Income Housing Fund; and 5) other Redevelopment project work.
01/24/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120057 [Hearing - Shelter Reform]
Sponsor: Kim
Hearing to examine the San Francisco shelter system and specifically how the City can improve access to shelter for all, improve programming within the shelter and explore opportunities to better assess the health needs of shelter clients.
01/24/12; RECEIVED AND ASSIGNED to Rules Committee.

120058 [Hearing - Impact of Fees Deferred on Affordable Housing]
Sponsor: Mar
Hearing on the impact of fees deferred, under the City's Fee Deferral Program on affordable housing in San Francisco.
01/24/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120059 [Hearing - Progress on the Octavia Boulevard Project, Central Freeway Ancillary Projects, and Disposition of Central Freeway Excess Parcels]
Sponsor: Olague
Hearing to receive update from the Office of Economic and Workforce Development, Mayor's Office of Housing, and the Department of Public Works on the progress of the Octavia Boulevard Project, Central Freeway Ancillary Projects and the disposition of Central Freeway excess parcels.
01/24/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120060 [Hearing - Improved Taxi Service Quarterly Report]
Sponsor: Wiener
Hearing on the San Francisco Municipal Transportation Agency's progress increasing and improving Taxi service in San Francisco pursuant to File No. 101422 (Ordinance No. 45-11) to include quantitative data demonstrating the Agency's progress in meeting demand for Taxi service as a way to reduce non-permitted Taxi service.
01/24/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120061 [Hearing - Ryan White Funding Cut]
Sponsor: Wiener
Hearing on the anticipated cuts to Ryan White funding in 2012/2013, the fiscal impacts of the cuts, the impacts on those living with and at risk for HIV/AIDS, and San Francisco's options in response.
01/24/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120062 [Hearing - San Francisco Public Utilities Commission's Street Light Plan, Maintenance, and Reliability]
Sponsors: Wiener; Avalos, Chu, Campos, Olague and Cohen
Hearing with the San Francisco Public Utilities Commission, General Services Agency - 311 Customer Service Center, Department of Public Works, Planning Department, San Francisco Municipal Transportation Agency, and Pacific Gas and Electric Company to: 1) participate and provide an update on the SFPUC's Street Light Plan; and 2) review the City's policies and practices relating to the lighting of the public right-of-way, including street light maintenance, and reliability, the system of responding to and addressing street light outages, ways to improve the maintenance system, and best practices for lighting per the Better Streets Plan and other City policies.

01/24/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

120063 [Hearing - Real Property Lease - Bauer Intelligent Transportation, Inc. - Pier 50]
Sponsor: Chiu
Hearing of persons interested in or objecting to amendments to the proposed Resolution approving CEQA Findings and Mitigation Monitoring and Reporting Program, and Port Commission Lease No. L-15004 with Bauer Intelligent Transportation, Inc., a California Corporation, for certain real property located at Pier 50, Sheds A and C, in the City and County of San Francisco, for a term of ten years.

01/24/12; ASSIGNED to Board of Supervisors.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCE

120003 [Public Infrastructure Improvements - Mission Bay South - Blocks 2-7 and 13 Phase I]
Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 2-7 and 13 Phase I including acquisition facilities on portions of Fourth Street, Mission Rock Street, China Basin Street, Mission Bay Boulevard North, and Mission Bay Boulevard South; 2) accepting additional property on portions of Fourth Street, Mission Rock Street, and China Basin Street; 3) declaring City property and additional property as shown on official Department of Public Works maps as open public right-of-way; 4) dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; 5) establishing street grades and sidewalk widths; 6) accepting said facilities for City maintenance and liability purposes, subject to specified limitations; 6) adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; 7) accepting a Department of Public Works Order; and 8) authorizing official acts in connection with this Ordinance. (Public Works Department)

01/05/12; RECEIVED FROM DEPARTMENT.

01/05/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

120002 [Accept and Expend Gift - Mayor's Fund for the Homeless]
Resolution accepting bequest by the late Leila Boroughs, authorizing its expenditure by the Mayor's fund for the homeless for the purpose of assisting San Francisco's homeless and extending appreciation to Ms. Boroughs for her gift. (Human Services Department)

01/03/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120038 [Real Property Lease - Sheriff's Department - 1740 Folsom Street]
Resolution authorizing the exercise of a five year option to extend the lease of approximately 18,862 square feet of space at 1740 Folsom Street for the Sheriff's Department with Mark Nelson Development and New California Land Company. (Real Estate Department)
(Fiscal Impact)

01/09/12; RECEIVED FROM DEPARTMENT.

01/09/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120039 [Real Property Lease, Sublease, and Transfer Agreement Amendment - Court Facility - 575 Polk Street]
Resolution: 1) approving a lease of approximately 9,000 square feet at 575 Polk Street with the Mattison Family Trust for an initial base rent of $25,597 per month; 2) a sublease of 575 Polk Street premises with the State of California, Judicial Council of California - Administrative Office of the Courts for use by the San Francisco Superior Court; 3) an amendment to the transfer agreement for the court facility at 575 Polk Street; and 4) authorizing other actions in furtherance of this Resolution. (Real Estate Department)

01/11/12; RECEIVED FROM DEPARTMENT.

01/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120040 [Real Property Lease Expansion - Community Justice Center - 555 Polk Street]
Resolution: 1) approving the exercise of a lease expansion of approximately 9,000 square feet at 555 Polk Street with the Mattison Family Trust at a base rent of $16,100 per month, for use by the Department of Public Health as a Community Justice Center, and 2) authorizing other actions in furtherance of this Resolution. (Real Estate Department)

01/11/12; RECEIVED FROM DEPARTMENT.

01/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120041 [Agreement - Architectural and Engineering Design Services - 525 Golden Gate Avenue - Not to Exceed $14,414,758]
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to Architectural and Engineering Design Services Agreement No. CS-842 for the new San Francisco Public Utilities Commission administration building project located at 525 Golden Gate Avenue increasing the agreement not-to-exceed amount to $14,414,758 pursuant to Charter Section 9.118. (Public Utilities Commission)

01/13/12; RECEIVED FROM DEPARTMENT.

01/13/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisor Chiu
To: Controller
Requesting/Inquiring: Requesting the Controller to conduct an independent evaluation of the America's Cup Organizing Committee's obligation to raise $12 million by the completion of CEQA to reimburse a portion of the City and County of San Francisco's costs and lost revenues under the Host and Venue Agreement for the 34th America's Cup.

In Memoriams

Sylvia Moreno - Supervisors Avalos and Campos
Michael J. Pitre - Supervisor Olague
Rich Chicotel - Supervisor Wiener
Elaine McKeon - Supervisor Farrell
Grace H. Delagnes - Supervisors Farrell, Elsbernd, Wiener and Chu
Walter L. Johnson - Entire Board

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 8:20 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 28, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, January 31, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:17 p.m. On the call of the roll, Supervisor Olague was noted absent. There was a quorum.

Supervisor Olague was noted present at 2:18 p.m..

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

111208 [Administrative Code - Public Guardian/Public Administrator Gift Fund]
Ordinance amending the San Francisco Administrative Code by adding Section 10.100-190 to create a Public Guardian/Public Administrator Gift Fund to support the operations of the Public Guardian's Office, including needs assessment and conservatorship services for vulnerable persons who are unable to manage their basic personal or financial needs. (Human Services Department)
(Fiscal Impact)

Ordinance No. 015-12

FINALLY PASSED

111333 [Appropriating $192,000,000 of Earthquake Safety and Emergency Response General Obligation Bonds to the Department of Public Works in FY2011-2012]
Sponsors: Mayor; Chiu, Chu and Cohen
Ordinance appropriating $192,000,000 of the 2012A Series Earthquake Safety and Emergency Response General Obligation Bond proceeds to the Department of Public Works in FY2011-2012 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster and placing these funds on Controller's Reserve pending the sale of the bonds.

Ordinance No. 021-12

FINALLY PASSED

111335 [Appropriating $76,500,000 of Road Repaving and Street Safety General Obligation Bonds to the Department of Public Works and the Municipal Transportation Agency in FY2011-2012]

Sponsors: Mayor; Wiener and Chu

Ordinance appropriating $76,500,000 of the 2012C Series Road Repaving and Street Safety General Obligation Bond proceeds including $71,587,375 to the Department of Public Works and $4,912,625 to the Municipal Transportation Agency for street resurfacing, sidewalk, curb ramp, street structure improvements, the redesign of streetscapes to include pedestrian and bicycle safety improvements, and traffic signal improvements to support transit priority for FY2011-2012 and placing these funds on Controller's Reserve pending the sale of the bonds.

Ordinance No. 016-12

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

111134 [Liquor License - 440 Mission Street]

Resolution determining that the issuance of a Type 40 on-sale beer license to Mark E. Rennie for Bar Downtown, LLC., dba Craft, located at 440 Mission Street (District 6), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 027-12

ADOPTED

111260 [Liquor License - 701 Mission Street]

Resolution determining that the issuance of a Type 64 Special On-Sale General Theater liquor license, to Jeanette Carvajal for the Yerba Buena Center for the Arts, located at 701 Mission Street (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 028-12

ADOPTED

Recommendation of the Government Audit and Oversight Committee

111067 [Administrative Code - Updating Job Classifications and Bargaining Units]

Ordinance amending the San Francisco Administrative Code Sections 16.200 through 16.222 to reflect changes in job classifications. (Human Resources Department)

Ordinance No. 017-12

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

111285 [Changing the Official Sidewalk Width - Portion of Mason Street]
Sponsor: Chiu
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1590 to change the official sidewalk width of Mason Street starting at the southwest corner of the intersection of Mason Street and Washington Street and continuing south 29.52 feet; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

Ordinance No. 018-12

FINALLY PASSED

Recommendations of the Rules Committee

111298 [Settlement of Lawsuit - Mary Jenn - $72,500]
Ordinance authorizing settlement of the lawsuit filed by Mary Jenn against the City and County of San Francisco for $72,500; the lawsuit was filed on November 12, 2010, in San Francisco County Superior Court, Case No. CGC-10-505363; entitled Mary Jenn v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111299 [Settlement of Lawsuit - DeWolf Realty Company, Inc. - $91,000]
Ordinance authorizing settlement of the lawsuit filed by DeWolf Realty Company, Inc., Gordon Pederson, and Chubb Custom Insurance Company against the City and County of San Francisco for $91,000; the lawsuit was filed on July 19, 2010, in San Francisco Superior Court, Case No. CGC-10-501664; entitled DeWolf Realty Company, Inc., et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111369 [Settlement of Lawsuit - Linda Iacovetta - $210,000]
Ordinance authorizing settlement of the lawsuit filed by Linda Iacovetta against the City and County of San Francisco for $210,000; the lawsuit was filed on August 4, 2011, in San Francisco Superior Court, Case No. CGC-10-502231; entitled Linda Iacovetta, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

111370 [Settlement of Lawsuit - Metro Fuel, LLC - City to Receive $1,750,000; Approval of Settlement and Relocation Agreement; Waiver of Administrative Code Subsections 2.21(d) and (e)]

Ordinance: 1) authorizing settlement of the lawsuit filed by Metro Fuel against the City and County of San Francisco for payment to the City of $1,750,000; the lawsuit was filed on November 30, 2007, in the United States District Court for the Northern District of California, Case No. C07-6067 PJH; entitled Metro Fuel, LLC v. City and County of San Francisco, et al.; other material terms of said settlement include settlement of the City's notices of violation against unpermitted panel signs, setting up a process for approval of the relocation and disaggregation of existing lawful billboards to other locations and payment of settlement following the City's approval of relocation permits for such billboards; 2) approving a Relocation and Settlement Agreement for the relocation of certain existing lawful billboards; and 3) waiving the requirements of San Francisco Administrative Code Subsections 2.21(d) and (e). (City Attorney)

PASSED, ON FIRST READING

111372 [Settlement of Lawsuit - City to Receive $3,170,000 for Sale of Parcel in San Mateo County]

Ordinance authorizing settlement of a lawsuit filed by San Mateo County Transit District against the City and County of San Francisco and Artichoke Enterprises, Inc., aka Artichoke Joe's; and Does 1 through 50, to condemn and take by right of eminent domain property owned by the City and County of San Francisco located in San Bruno, California, for $3,170,000; the lawsuit was filed April 13, 2010, in San Mateo County Superior Court, Case No. CIV 494013; entitled San Mateo County Transit District v. City and County of San Francisco, Artichoke Enterprises, Inc. aka Artichoke Joe's; and Does 1 through 50, inclusive. (City Attorney)

PASSED, ON FIRST READING

111373 [Settlement of Lawsuit - City to Pay $238,000 for Subsurface Easement in Alameda County]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; Union Sanitary District for the County of Alameda, State of California; and Does 1 through 100, to condemn and take by right of eminent domain a permanent subsurface easement of approximately 69,609 square feet in property owned by San Mateo County Transit District, located in Newark, California, commonly known as APNs 537-0551-020 and 537-0551-021-01; filed June 3, 2010, in Alameda County Superior Court, Case No. RG 10518243; entitled City and County of San Francisco v. San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; Union Sanitary District for the County of Alameda, State of California; and Does 1 through 100. (City Attorney)

PASSED, ON FIRST READING

111301 [Settlement of Case - George and Vickie Bourdouris and Capital Insurance Group - $67,205.32]

Resolution approving the proposed settlement of the case of George and Vickie Bourdouris and Capital Insurance Group vs. the City and County of San Francisco for $67,205.32, Unlitigated Claim No. 11-00689. (City Attorney)

Resolution No. 030-12

ADOPTED

111303 [Settlement of Unlitigated Claim - M/T Dubai Star/South Harmony Shipping - City to Receive $65,000]

Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against M/T Dubai Star/South Harmony Shipping, Inc. for $65,000; claim was presented by the City on July 28, 2010. (City Attorney)

Resolution No. 029-12

ADOPTED

111376 [Settlement of Unlitigated Claim - Anita Scott - $200,000]

Resolution approving the settlement of the unlitigated claim filed by Anita Scott against the City and County of San Francisco for $200,000; claim was filed on September 23, 2011. (City Attorney)

Resolution No. 031-12

ADOPTED

111377 [Settlement of Unlitigated Claim - Claire Himmel - $60,000]

Resolution approving the settlement of the unlitigated claim filed by Claire Himmel against the City and County of San Francisco for $60,000; claim was filed on September 26, 2011. (City Attorney)

Resolution No. 032-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

111334 [Appropriating $75,009,139 of 2008 Clean and Safe Park Bond to the Recreation and Park Department and Port Commission in FY2011-2012]

Sponsors: Mayor; Chu

Ordinance appropriating $75,009,139 of 2008 Clean and Safe Park Bond sale proceeds to fund the improvement and construction at various recreation and park facilities, including $61,185,271 in the Recreation and Park Department and $10,394,975 in the Port Commission for FY2011-2012. (Fiscal Impact)

Ordinance No. 020-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Budget and Finance Committee Without Recommendation

111332 **[Appropriating $4,442,514 of Fund Balance and Interest Earnings from the Sale of the Watermark Land and Condominiums to the Port Commission in FY2011-2012]**
Sponsor: Mayor
Ordinance appropriating $4,442,514 consisting of $3,709,630 in fund balance and $732,884 in interest earnings from the sale of the Watermark Land and Condominiums to the Port Commission in FY2011-2012 to be used for the development of the Brannan Street Wharf and the Mixed-Use Cruise Terminal at Pier 27 and placing $614,000 on Controller's Reserve pending receipt of the projected interest earnings.
(Fiscal Impact)

Ordinance No. 019-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Land Use and Economic Development Committee

111104 **[Health Code - Regulating Commercial Dog Walkers on Park Property]**
Sponsor: Wiener
Ordinance amending the San Francisco Health Code by adding Article 39, Sections 39.01 through 39.13, to license and regulate Commercial Dog Walkers operating on park property.

Ordinance No. 023-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120018 **[Re-Appropriating $1,574,127 of General Fund Reserves for State Revenue Loss to Support HIV/AIDS Programs at the Department of Public Health, FY2011-2012]**
Sponsors: Mayor; Wiener, Campos and Olague
Ordinance re-appropriating $1,574,127 of General Fund reserves for State revenue loss to backfill federal funding reductions to HIV/AIDS programs at the Department of Public Health in FY2011-2012.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120019 **[Accept and Expend Grant - Legal Educational Advocacy Program and Amendment to the Annual Salary Ordinance, FY2011-2012 - $231,147]**
Sponsor: Campos
Ordinance authorizing the San Francisco Public Defender's Office to retroactively accept and expend a grant in the amount of $231,147 from the Correction Standards Authority for the purpose of establishing a Legal Educational Advocacy Program; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one Class 8177 Trial Attorney grant-funded position (0.50 FTE) at the San Francisco Public Defender's Office.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Land Use and Economic Development Committee

111248 **[Regulations for Jane Warner and Harvey Milk Plazas]**
Sponsor: Wiener
Ordinance: 1) approving regulations for Jane Warner Plaza at the intersection of Castro and 17th Streets and Harvey Milk Plaza adjacent to the intersection of Castro and Market Streets; and 2) authorizing official acts in connection with the regulations.
(Supervisor Mar dissented in Committee.)

Supervisor Wiener, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chiu, seconded by Supervisor Mar, moved that this Ordinance be AMENDED by deleting reference to 'Section G. Wheeled Equipment Prohibited' on Page 3, Line 24, through Page 4, Line 9. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague
Noes: 4 - Chu, Elsbernd, Farrell, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 5 - Avalos, Campos, Kim, Mar, Olague

Recommendations of the Rules Committee

Supervisor Mar Excused from Voting

Supervisor Campos, seconded by Supervisor Cohen, moved that Supervisor Mar be excused from voting on File No. 120009. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Excused: 1 - Mar

120009 [Appointment, California State Association of Counties - Supervisor Eric Mar]
Motion appointing Supervisor Eric Mar, term ending November 28, 2012, to the California State Association of Counties. (Clerk of the Board)

Motion No. M12-016

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Excused: 1 - Mar

120010 [Appointment, Board of Appeals - Richard Hillis]
Motion approving the Mayor's appointment of Richard Hillis to the Board of Appeals, for the term ending July 1, 2012. (Mayor)
(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - 12/14/11.)

Motion No. M12-017

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu Excused from Voting

Supervisor Cohen, seconded by Supervisor Farrell, moved that Supervisor Chu be excused from voting on File No. 120013. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120013 [Appointment, Association of Bay Area Governments Executive Board - Supervisor Carmen Chu]
Motion appointing Supervisor Carmen Chu, term ending June 30, 2013, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

Motion No. M12-018

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

120063 **[Hearing - Real Property Lease - Bauer Intelligent Transportation, Inc. - Pier 50]**
Sponsor: Chiu
Hearing of persons interested in or objecting to amendments to the proposed Resolution approving CEQA Findings and Mitigation Monitoring and Reporting Program, and Port Commission Lease No. L-15004 with Bauer Intelligent Transportation, Inc., a California Corporation, for certain real property located at Pier 50, Sheds A and C, in the City and County of San Francisco, for a term of ten years.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 111317. Jay Edwards (Port of San Francisco) provided an overview of the amendments to the proposed lease. Walter Paulson; expressed various concerns relating to the amendments to the proposed lease. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

Supervisor Mar, seconded by Supervisor Kim, moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Committee of the Whole Adjourn and Report

From the Budget and Finance Committee Without Recommendation

From the Board

111317 **[Real Property Lease - Bauer Intelligent Transportation, Inc. - Pier 50]**
Sponsor: Chiu
Resolution approving CEQA Findings and Mitigation Monitoring and Reporting Program, and Port Commission Lease No. L-15004 with Bauer Intelligent Transportation, Inc., a California Corporation, for certain real property located at Pier 50, Sheds A and C, in the City and County of San Francisco, for a term of ten years.
(Fiscal Impact)

Resolution No. 026-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

COMMITTEE REPORTS

Recommendation of the Land Use and Economic Development Committee

111078 [Planning Code and Zoning Map Amendments - India Basin Industrial Park]
Sponsor: Cohen

Ordinance: 1) amending the San Francisco Planning Code Section 249.42 to allow outpatient medical care clinics; 2) amending the San Francisco Planning Code Zoning Map Sheet 8 SU to add parcels in Assessor's Block No. 5211, Lot Nos. 29 through 54 to the India Basin Special Use District, and remove the parcel in Assessor's Block No. 5211, Lot No. 28 from the Design and Development Special Use District and add it to the India Basin Special Use District; and 3) making environmental findings and findings of consistency with general plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Wilma Roberts; expressed various concerns relating to appointments.
Walter Paulson; shared in song certain concerns with the Board.
Peter Warfield; expressed concerns relating to the SF Public Library.
William Lee (NACA); spoke regarding an upcoming mortgage seminar.
Male Speaker; expressed various concerns relating to ranked choice voting.
John Caldera; expressed various concerns relating to homeless veterans.
Ace Washington; expressed various concerns.
Ray Hartz; expressed concerns relating to government.
Male Speaker; expressed various concerns relating to Tenderloin neighborhood.
Male Speaker; expressed various religious concerns.
Edmund Juicy; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120052 [Approval of a 90-Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]
Sponsor: Cohen
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) amending the Planning Code by amending Sectional Map SU08 of the Zoning Map of the City and County of San Francisco and adding Planning Code Section 249.66 to: 1) establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and 2) making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Resolution No. 034-12

ADOPTED

120053 [Supporting President Barack Obama's Summer Jobs+ Plan and Recommending Similar Plan]
Sponsor: Elsbernd
Resolution supporting President Barack Obama's Summer Jobs+ plan and recommending the development of a similar plan for youth in San Francisco.

Resolution No. 036-12

ADOPTED

120054 [Supporting the California Cancer Research Act]
Sponsor: Mar
Resolution supporting the California Cancer Research Act.

Resolution No. 035-12

ADOPTED

120055 [Authorization to Apply for Strategic Growth Council Sustainable Communities Planning Grant]
Sponsor: Mayor
Resolution authorizing the San Francisco Planning Department to apply for a planning grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to implement the Strengthening Neighborhoods Program.

Resolution No. 033-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 120025 be severed so that it may be considered separately.

120025 [Opposing the United States Supreme Court's Decision in Citizens United and Supporting Related United States Constitutional Amendment]
Sponsors: Chiu; Cohen, Wiener, Olague, Kim, Mar, Avalos and Campos
Resolution opposing the United States Supreme Court's interpretation of the Constitution in Citizens United regarding the rights of corporations and supporting an amendment to the Constitution to provide that corporations are not entitled to the entirety of protections of natural persons.

Supervisors Kim, Mar, Avalos, and Campos requested to be added as co-sponsors.

Resolution No. 037-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Elsbernd requested that File No. 120028 be severed so that it may be considered separately.

120028 [Urging the National Academy of Arts and Sciences Reinstate 31 Categories of Music for GRAMMY Consideration]
Sponsor: Mar
Resolution urging the reinstatement of the 31 categories of music that were eliminated by the National Academy of Arts and Sciences for GRAMMY consideration on April 6, 2011.

Supervisor Mar, seconded by Supervisor Elsbernd, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

120082 [Administrative Code - Benefit Corporation Discount]
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code by adding Chapter 14C, Sections 14C.1 through 14C.3 to provide for a downward adjustment in price or upward adjustment in rating of a proposal or bid from a California Benefit Corporation for a competitively-solicited City contract.
01/31/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/1/2012.

120083 [Planning Code and Zoning Map - 9th Street Power Retail Special Use District - 555-9th Street]
Sponsor: Kim
Ordinance: 1) amending the San Francisco Planning Code by adding Section 249.66 to establish the 9th Street Power Retail Special Use District for property located at 555-9th Street (Assessor's Block No. 3781, Lot No. 003); 2) amending the San Francisco Zoning Map Sheet SU08 to show the boundaries of the 9th Street Power Retail Special Use District; and 3) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
01/31/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/1/2012.

120084 [Planning Code - Eating and Drinking Establishment Definitions and Controls]
Sponsors: Wiener; Olague and Chu
Ordinance deleting and amending various sections of the San Francisco Planning Code to: 1) simplify and consolidate eating and drinking establishment definitions, and subject the newly-defined uses to Section 312 notification and Formula Retail controls; and 2) adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
01/31/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/1/2012.

Resolutions

120085 [Accept and Expend Grant - Agreement - Transit Oriented Development Housing Program - $4,700,000]
Sponsors: Mayor; Kim
Resolution authorizing any designee of the Mayor from the Mayor's Office of Housing to enter into a standard agreement and disbursement agreement with the California State Department of Housing and Community Development to accept and expend $4,700,000 of Transit Oriented Development Infrastructure Grant Program funds associated with the 1180-4th Street affordable housing project; the execution of an agreement with the Project Sponsor for disbursement of grant funds; and the execution of any related documents necessary to participate in the Transit Oriented Development Infrastructure Grant Program.

01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120086 [Request for Proposal - City's Cash Management Banking Services]
Sponsors: Avalos; Chiu, Mar, Campos and Cohen
Resolution supporting the City's Office of the Treasurer-Tax Collector's efforts to integrate community reinvestment measures and social responsibility language into the City's Cash Management Banking Services Request for Proposal.

01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120087 [Accept and Expend Grant - Kindergarten to College Program Participant Incentive Funds - $190,000]
Sponsor: Campos
Resolution authorizing the Office of Treasurer-Tax Collector to accept and expend a grant in the amount of $190,000 from the Earned Assets Resource Network for Kindergarten to College Program Participant Incentive Funds.

01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120088 [Revocable Permit - Union Sanitary District - Bay Division Pipeline Nos. 3 and 4 Seismic Upgrade Project]
Sponsor: Elsbernd
Resolution authorizing issuance of a revocable permit by the San Francisco Public Utilities Commission to Union Sanitary District for the improvements to the regional water supply system, otherwise known as Project No. CUW35302 Seismic Upgrade of Bay Division Pipeline Nos. 3 and 4 for a term in excess of ten years, pursuant to Charter Section 9.118, and adopting findings pursuant to the California Environmental Quality Act.

01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120089 [Accept and Expend Grant - San Francisco Minority AIDS Initiative - $1,352,141]
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $1,352,141 from the Substance Abuse and Mental Health Services Administration to participate in a program entitled "San Francisco Minority AIDS Initiative" for the period of September 30, 2011, through September 29, 2012, and waiving indirect costs.

01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120090 [Accept and Expend Grant - Centers for Disease Control and Prevention Kenya-Monitoring and Evaluation - $256,846]
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $256,846 from the University of California San Francisco to participate in a program entitled "Centers for Disease Control and Prevention Kenya-Monitoring and Evaluation" for the period of September 30, 2011, through September 29, 2012.

01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120091 [Commending the Mexican Museum for Distinction as New Affiliate of the Smithsonian Institute]
Sponsors: Campos; Avalos, Olague and Kim
Resolution commending the Mexican Museum for its accomplishments and for welcoming the Smithsonian Institute to the City and County of San Francisco.

01/31/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120092 [American Heart Month - February 2012]
Sponsor: Chiu
Resolution recognizing February 2012, as American Heart Month in the City and County of San Francisco, and encouraging the improvement of cardiovascular health.

01/31/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120093 [Accept and Expend Grant - Green Business Tracking Tool - $59,190]
Sponsor: Chu
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $59,190 from the California Department of Toxic Substances Control to coordinate the Green Business Tracking and Measurement Tool.

01/31/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120094 [Accept and Expend Grant - High Technology Crimes Unit - $29,250]
Sponsor: Cohen
Resolution authorizing the Department of the District Attorney to retroactively accept and expend a grant in the amount of $29,250 through the State of California, Department of Justice, Office of the Attorney General's Privacy and Piracy Fund, for high-tech crime investigation and prosecution for the grant period of July 1, 2011, through June 30, 2012.

01/31/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120095 [Accept and Expend Grant - Tuberculosis Epidemiologic Studies - $23,538]
Sponsor: Mar
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $23,538 from the California Department of Public Health, to participate in a program entitled Tuberculosis Epidemiologic Studies Task Order 1, "Improving the Diagnosis and Treatment of Latent Tuberculosis Infection" for the period of November 1, 2011, through September 28, 2012, and waiving indirect costs.

01/31/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120096 [Accept and Expend Grant - Longitudinal Research to Assess HIV Risk and Resilience Among Transgender Female - $93,187]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $93,187 from the Public Health Foundation Enterprises, to participate in a program entitled "Longitudinal Research to Assess HIV Risk and Resilience Among Transgender Female" for the period of July 18, 2011, through May 31, 2012.

01/31/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

120097 [Hearing - Annual Review and Adoption of the Board of Supervisors/Clerk of the Board Draft Budget - FY2012-2013 and FY2013-2014]
Hearing to consider the annual review and adoption of the Draft Board of Supervisors/Clerk of the Board FY2012-2013 and FY2013-2014 Budget. (Clerk of the Board)

01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120098 [Hearing - Municipal Transportation Agency Transit Priorities]
Sponsor: Elsbernd
Hearing on the San Francisco Municipal Transportation Agency transit priorities, including funding for existing programs, and proposed projects as well as proposals for new spending, and addressing the Agency's policy on the use of one-time funds for new pilot projects given lack of funding for other important programmatic needs, such as the Transit Effectiveness Project.

01/31/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

120099 [Hearing - Community Choice Aggregation - CleanPowerSF Program]
Sponsor: Farrell
Hearing to examine the proposed Community Choice Aggregation contract with Shell Energy North America, as well as the proposed $19,500,000 appropriation to fund start-up costs for the program commonly referred to as CleanPowerSF.

01/31/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120100 [Hearing - Music Industry's Role as an Economic Driver in San Francisco]
Sponsors: Mar; Chiu
Hearing on the role that the music industry plays as an economic driver in San Francisco and what the City can do to support local artists, producers, venue owners, and festival promoters.
01/31/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120101 [Hearing - Commercial Tour Buses and Shuttles]
Sponsor: Olague
Hearing requesting presentations from the San Francisco Municipal Transportation Agency and San Francisco Police Department regarding impacts and suggestions to mitigate disruption of commercial tour buses and shuttles.
01/31/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

120102 [Hearing - San Francisco Unified School District Career Technology and Job Preparation Education Initiatives]
Sponsors: Olague; Mar and Campos
Hearing requesting the San Francisco Unified School District and City College Board of Trustees to report on the status and progress of current career technology education and vocational programs focusing on students' job readiness.
01/31/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

120103 [Hearing - Joint Report and Status of the City's Five-Year Financial Plan]
Sponsor: Chu
Hearing to receive update from the Controller's Office and Mayor's Budget Office on the Joint Report and status of the City's Five-Year Financial Plan.
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120104 [Hearing - Mayor's Office Budget Instructions and Plans to Close the Budget Deficit - FY2012-2013]
Sponsor: Chu
Hearing to receive information regarding budget instructions issued to departments and plans to close the budget deficit for FY2012-2013.
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120105 [Hearing - Six Month Budget Status Report]
Sponsor: Chu
Hearing to receive update from the Controller's Office on the Six Month Budget Status Report.
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120106 [Hearing - Nine Month Budget Status Report]
Sponsor: Chu
Hearing to receive update from the Controller's Office on the Nine Month Budget Status Report.
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120107 [Hearing - Department of Public Health Budget Update for FY2012-2013 and FY2013-2014]
Sponsor: Chu
Hearing to receive update on the Department of Public Health's budget for FY2012-2013 and FY2013-2014.
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120108 [Hearing - Department on Children, Youth, and their Families and First Five Budget Update for FY2012-2013 and FY2013-2014]
Sponsor: Chu
Hearing to receive update on Department on Children, Youth, and their Families and First Five's budget for FY2012-2013 and FY2013-2014.
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120109 [Hearing - Department of Public Works Budget Update for FY2012-2013 and FY2013-2014]
Sponsor: Chu
Hearing to receive update on Department of Public Works' budget for FY2012-2013 and FY2013-2014.
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120110 [Hearing - Update on Capital Plan - FY2012-2021]
Sponsor: Chu
Hearing to receive update on the City's Capital Plan for FY2012-2021.
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120111 [Hearing - Fire Department Budget Update for FY2012-2013 and FY2013-2014]
Sponsor: Chu
Hearing to receive update on the Fire Department's budget for FY2012-2013 and FY2013-2014.
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120112 [Hearing - Police Department Budget Update for FY2012-2013 and FY2013-2014]
Sponsor: Chu
Hearing to receive update on the Police Department's budget for FY2012-2013 and FY2013-2014
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120113 [Hearing - Human Services Agency Budget Update for FY2012-2013 and FY2013-2014]
Sponsor: Chu
Hearing to receive update on the Human Services Agency's budget for FY2012-2013 and FY2013-2014.
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120114 [Hearing - Sheriff Department Budget Update for FY2012-2013 and 2013-2014]
Sponsor: Chu
Hearing to receive update on the Sheriff Department's budget for FY2013-2014.
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120115 [Hearing - Recreation & Park Budget Update for FY2012-2013 and FY2013-2014]
Sponsor: Chu
Hearing to receive update on the Recreation & Park Department's budget for FY2012-2013 and FY2013-2014.
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120116 [Hearing - Municipal Transportation Agency Budget Update for FY2012-2013 and FY2013-2014]
Sponsor: Chu
Hearing to receive update on the Municipal Transportation Agency's budget for FY2012-2013 and FY2013-2014.
01/31/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriams

The San Francisco Redevelopment Agency – Supervisors Campos and Olague
Dr. Robert Kamin – Supervisor Olague
Mrs. Susan Poff – Supervisor Olague

ADJOURNMENT

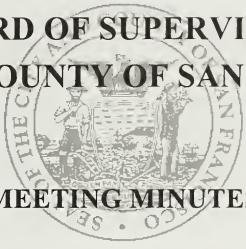
There being no further business, the Board adjourned at the hour of 4:10 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 13, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, February 7, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Members Present: John Avalos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:12 p.m. On the call of the roll, Supervisor Campos was noted absent. There was a quorum.

Supervisor Campos Excused from Voting

Supervisor Avalos, seconded by Supervisor Mar, moved that Supervisor Campos be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

120018 [Re-Appropriating $1,574,127 of General Fund Reserves for State Revenue Loss to Support HIV/AIDS Programs at the Department of Public Health, FY2011-2012]
Sponsors: Mayor; Wiener, Campos and Olague
Ordinance re-appropriating $1,574,127 of General Fund reserves for State revenue loss to backfill federal funding reductions to HIV/AIDS programs at the Department of Public Health in FY2011-2012.
(Fiscal Impact)

Ordinance No. 032-12

FINALLY PASSED

120019 [Accept and Expend Grant - Legal Educational Advocacy Program and Amendment to the Annual Salary Ordinance, FY2011-2012 - $231,147]
Sponsor: Campos
Ordinance authorizing the San Francisco Public Defender's Office to retroactively accept and expend a grant in the amount of $231,147 from the Correction Standards Authority for the purpose of establishing a Legal Educational Advocacy Program; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one Class 8177 Trial Attorney grant-funded position (0.50 FTE) at the San Francisco Public Defender's Office.

Ordinance No. 024-12

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

111078 [Planning Code and Zoning Map Amendments - India Basin Industrial Park]
Sponsor: Cohen
Ordinance: 1) amending the San Francisco Planning Code Section 249.42 to allow outpatient medical care clinics; 2) amending the San Francisco Planning Code Zoning Map Sheet 8 SU to add parcels in Assessor's Block No. 5211, Lot Nos. 29 through 54 to the India Basin Special Use District, and remove the parcel in Assessor's Block No. 5211, Lot No. 28 from the Design and Development Special Use District and add it to the India Basin Special Use District; and 3) making environmental findings and findings of consistency with general plan.

Ordinance No. 026-12

FINALLY PASSED

Recommendations of the Rules Committee

111298 [Settlement of Lawsuit - Mary Jenn - $72,500]
Ordinance authorizing settlement of the lawsuit filed by Mary Jenn against the City and County of San Francisco for $72,500; the lawsuit was filed on November 12, 2010, in San Francisco County Superior Court, Case No. CGC-10-505363; entitled Mary Jenn v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 030-12

FINALLY PASSED

111299 [Settlement of Lawsuit - DeWolf Realty Company, Inc. - $91,000]
Ordinance authorizing settlement of the lawsuit filed by DeWolf Realty Company, Inc., Gordon Pederson, and Chubb Custom Insurance Company against the City and County of San Francisco for $91,000; the lawsuit was filed on July 19, 2010, in San Francisco Superior Court. Case No. CGC-10-501664; entitled DeWolf Realty Company, Inc., et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 031-12

FINALLY PASSED

111369 [Settlement of Lawsuit - Linda Iacovetta - $210,000]

Ordinance authorizing settlement of the lawsuit filed by Linda Iacovetta against the City and County of San Francisco for $210,000; the lawsuit was filed on August 4, 2011, in San Francisco Superior Court, Case No. CGC-10-502231; entitled Linda Iacovetta, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 029-12

FINALLY PASSED

111370 [Settlement of Lawsuit - Metro Fuel, LLC - City to Receive $1,750,000; Approval of Settlement and Relocation Agreement; Waiver of Administrative Code Subsections 2.21(d) and (e)]

Ordinance: 1) authorizing settlement of the lawsuit filed by Metro Fuel against the City and County of San Francisco for payment to the City of $1,750,000; the lawsuit was filed on November 30, 2007, in the United States District Court for the Northern District of California, Case No. C07-6067 PJH; entitled Metro Fuel, LLC v. City and County of San Francisco, et al.; other material terms of said settlement include settlement of the City's notices of violation against unpermitted panel signs, setting up a process for approval of the relocation and disaggregation of existing lawful billboards to other locations and payment of settlement following the City's approval of relocation permits for such billboards; 2) approving a Relocation and Settlement Agreement for the relocation of certain existing lawful billboards; and 3) waiving the requirements of San Francisco Administrative Code Subsections 2.21(d) and (e). (City Attorney)

Ordinance No. 027-12

FINALLY PASSED

111372 [Settlement of Lawsuit - City to Receive $3,170,000 for Sale of Parcel in San Mateo County]

Ordinance authorizing settlement of a lawsuit filed by San Mateo County Transit District against the City and County of San Francisco and Artichoke Enterprises, Inc., aka Artichoke Joe's; and Does 1 through 50, to condemn and take by right of eminent domain property owned by the City and County of San Francisco located in San Bruno, California, for $3,170,000; the lawsuit was filed April 13, 2010, in San Mateo County Superior Court, Case No. CIV 494013; entitled San Mateo County Transit District v. City and County of San Francisco, Artichoke Enterprises, Inc. aka Artichoke Joe's; and Does 1 through 50, inclusive. (City Attorney)

Ordinance No. 028-12

FINALLY PASSED

111373 [Settlement of Lawsuit - City to Pay $238,000 for Subsurface Easement in Alameda County]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; Union Sanitary District for the County of Alameda, State of California; and Does 1 through 100, to condemn and take by right of eminent domain a permanent subsurface easement of approximately 69,609 square feet in property owned by San Mateo County Transit District, located in Newark, California, commonly known as APNs 537-0551-020 and 537-0551-021-01; filed June 3, 2010, in Alameda County Superior Court, Case No. RG 10518243; entitled City and County of San Francisco v. San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; Union Sanitary District for the County of Alameda, State of California; and Does 1 through 100. (City Attorney)

Ordinance No. 025-12

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

101055 [Environment Code - Checkout Bags and Checkout Bag Charge]
Sponsors: Olague; Avalos and Campos

Ordinance amending the San Francisco Environment Code by: 1) amending Section 1702 to extend the restrictions on checkout bags from supermarkets and chain pharmacies to all retail establishments and food establishments in the City and County of San Francisco, and clarify terms; 2) adding Section 1703.5 to require stores to add a checkout bag charge of 10 cents, if they provide a customer with a checkout bag; 3) setting an operative date of October 1, 2012; and 4) making environmental findings.
(Economic Impact)

Privilege of the floor was granted to Melanie Nutter, Director, Department of Environment, who provided an overview and responded to questions raised throughout the discussion.

Supervisor Chiu, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

Recommendation of the Land Use and Economic Development Committee

111248 [Regulations for Jane Warner and Harvey Milk Plazas]
Sponsor: Wiener

Ordinance: 1) approving regulations for Jane Warner Plaza at the intersection of Castro and 17th Streets and Harvey Milk Plaza adjacent to the intersection of Castro and Market Streets; and 2) authorizing official acts in connection with the regulations.

Ordinance No. 022-12

FINALLY PASSED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener
Noes: 4 - Avalos, Kim, Mar, Olague
Excused: 1 - Campos

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120045 [Revising Findings - Contract Approval for Design and Construction of New Fire Station - 935 Folsom Street]
Sponsor: Kim
Ordinance amending Ordinance No. 218-10 to revise the findings supporting the waiver of Chapter 6 of the Administrative Code for a Conditional Land Disposition and Acquisition Agreement between the City and the San Francisco Museum of Modern Art for the design and construction of the new fire station to be located at 935 Folsom Street, San Francisco, California.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

120050 [Administrative Code - Health Service System Plans and Contribution Rates]
Sponsor: Chu
Ordinance amending the San Francisco Administrative Code, Chapter 16, Article XV, of Part 1, Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

120051 [Establishing Monthly Contribution Amount to the Health Service Trust Fund]
Sponsor: Chu
Resolution establishing the monthly contribution amount to the Health Service Trust Fund.

Resolution No. 044-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

120002 [Accept and Expend Gift - Mayor's Fund for the Homeless]
Resolution accepting bequest by the late Leila Boroughs, authorizing its expenditure by the Mayor's fund for the homeless for the purpose of assisting San Francisco's homeless and extending appreciation to Ms. Boroughs for her gift. (Human Services Department)

Resolution No. 043-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

From the Budget and Finance Committee Without Recommendation

Supervisor Elsbernd was noted absent at 2:48 p.m. and noted present at 2:55 p.m.

120022 [Agreement - Motorola - Bay Area Regional Interoperable Communications Systems]

Sponsors: Mayor; Farrell and Chu

Resolution approving site access and use agreement with Motorola for the San Francisco sites to be used for the Bay Area 700 MHz public safety broadband spectrum to be managed and operated by the Bay Area Regional Interoperable Communications Systems for a term of 12 years; and making findings, including environmental findings.
(Fiscal Impact)

Supervisors Farrell and Chu requested to be added as co-sponsors.

Privilege of the floor was granted to Anne Kronenberg, Director, Department of Emergency Management, and Jon Walton, Director, Department of Technology, who provided an overview and responded to questions raised throughout the discussion.

Resolution No. 038-12

ADOPTED by the following vote:

Ayes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener
Noes: 1 - Kim
Excused: 1 - Campos

Recommendations of the Land Use and Economic Development Committee

111281 [Sidewalk Width Changes - Establishing a Streamlined Process for Certain Changes]

Sponsors: Mayor; Wiener

Ordinance: 1) amending Ordinance No. 1061 to grant authorization to the Director of the Public Works Department to approve certain changes to official sidewalk widths, as specified herein, that would streamline reviews and approvals for such changes and ensure consistency with the General Plan; 2) establishing fees for processing administrative sidewalk width changes; 3) adopting environmental findings; and 4) authorizing official acts in connection with this Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

111305 [Planning Code Amendments - Glen Park Area Plan]
Sponsor: Wiener
Ordinance amending the San Francisco Planning Code by: 1) adding and amending various sections to implement the Glen Park Area Plan, bounded generally by Chenery Street to the north, Roanoke Street to the east, San Jose Avenue and Bosworth Street to the south, and Elk Street to the west; 2) creating a new Section 738.1, establishing zoning controls for the Glen Park Neighborhood Commercial Transit district; and 3) making findings, including environmental findings and findings of consistency with General Plan and with the Priority Policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

111306 [Zoning Map Amendments - Glen Park Area Plan]
Sponsor: Wiener
Ordinance amending the City and County of San Francisco Zoning Map Sheets ZN11 and HT11 to: 1) create a new zoning district, and amend height and bulk districts within the Glen Park Area Plan, as proposed in the Glen Park Community Plan; and 2) making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

Supervisor Wiener, seconded by Supervisor Olague, moved that this Ordinance be AMENDED on Page 2, Lines 1 and 2, by replacing 'Motion' with 'Ordinance'; Line 4 by deleting 'of said Motion'. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

111307 [General Plan Amendments - Glen Park Area Plan]
Ordinance amending the San Francisco General Plan by adding the Glen Park Area Plan; and making findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

Recommendations of the Rules Committee

120033 [Confirming Appointment, City Administrator - Naomi Kelly]
Sponsor: Mayor
Motion confirming the Mayor's appointment of Naomi Kelly to a five-year term as City Administrator under Charter Section 3.104.

Motion No. M12-019

APPROVED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

111330 [Charter Amendment - Consolidating Odd-Year Municipal Elections]
Sponsor: Wiener
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, and Article XVII to: 1) change the election cycle for the offices of City Attorney and Treasurer so that these offices will be elected in the same years as the elections for the offices of Mayor, District Attorney, and Sheriff; and 2) to amend the definition of general municipal election so that such elections occur only in even-numbered years and every other odd-numbered year.

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Charter Amendment be DUPLICATED, AMENDED, and CONTINUED AS AMENDED to February 14, 2012. The motion FAILED by the following vote:
Ayes: 1 - Wiener
Noes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 1 - Campos

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Charter Amendment be CONTINUED to February 14, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Chiu, seconded by Supervisor Wiener, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to David Kirsch of the American Heart Association in recognition of their accomplishments and continued community support regarding cardiovascular disease.

SPECIAL ORDER 4:00 P.M.

Supervisor Olague was noted absent at 5:12 p.m. and noted present at 5:30 p.m.

120005 [Public Hearing - Conditional Use Appeal - 601-14th Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Commission's December 8, 2011, Conditional Use Authorization identified as Planning Case No. 2011.0198C, by its Motion No. 18503, under Planning Code Sections 209.6(b) and 303 to remove existing omni antennas and install a wireless telecommunications facility consisting of up to four panel antennas concealed in one faux chimney located on the northern portion of the roof and related equipment in the basement of a three-story publicly-used structure (Bureau of Jewish Education) as part of AT&T's Wireless Telecommunications Network within the RM-1 (Mixed, Low Density) Zoning District, and a 40-X Height and Bulk District, on property located at 601-14th Avenue, Assessor's Block No. 1630, Lot No. 001. (District 1) (Appellant: Pastor Nikolay Gusenkov on behalf of the First Slavic Baptist Church of San Francisco and subscribed by Supervisors Mar, Chiu, Campos, Avalos, and Wiener) (Filed January 9, 2012).

The President inquired as to whether any member of the public wished to address the Board. Stephen Sherman (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Vadin "James" Heyfitch; Elise Rousseau; Vladmir; Konstantin Gusenkov; Ed Ingleman; Vladimir; Male Speaker; Male Speaker; Lara-Miya Milrod; Nikolay Gusenkov; Marie Mazinova; Florin Kerr; Bischoff Nikolay; Nikolay Shikoff; Ivan; Mihai Moscouici; Elena Mikolova; Michael Shokov; Mikai Shokov; Dylan Rousseau; David Volkar; Elena Sofia; Ian; Asili Kollgar; Alma; Rick Oliver; Gordon Oliver; Alana Santos; Eliana; spoke in support of the appeal. AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Mark Blake (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. David Watsberg; Bill Hammett; spoke in support of the project and in opposition to the appeal. Stephen Sherman (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

120006 [Approving Planning Commission Decision Related to Conditional Use Authorization - 601-14th Avenue]

Motion approving decision of the Planning Commission by its Motion No. 18503, approving Conditional Use Authorization identified as Planning Case No. 2011.0198C on property located at 601-14th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion FAILED by the following vote:

Ayes: 3 - Chiu, Kim, Mar
Noes: 7 - Avalos, Chu, Cohen, Elsbernd, Farrell, Olague, Wiener
Excused: 1 - Campos

Motion No. M12-021

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Noes: 1 - Mar
Excused: 1 - Campos

120007 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 601-14th Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 18503, approving Conditional Use Authorization identified as Planning Case No. 2011.0198C on property located at 601-14th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion FAILED by the following vote:

Ayes: 3 - Chiu, Kim, Mar
Noes: 7 - Avalos, Chu, Cohen, Elsbernd, Farrell, Olague, Wiener
Excused: 1 - Campos

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Noes: 1 - Mar
Excused: 1 - Campos

120008 [Preparation of Findings Related to the Conditional Use Authorization - 601-14th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0198C on property located at 601-14th Avenue. (Clerk of the Board)

Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion FAILED by the following vote:

Ayes: 3 - Chiu, Kim, Mar
Noes: 7 - Avalos, Chu, Cohen, Elsbernd, Farrell, Olague, Wiener
Excused: 1 - Campos

Supervisor Elsbernd, seconded by Supervisor Farrell, TABLED by the following vote:

Ayes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Noes: 1 - Mar
Excused: 1 - Campos

COMMITTEE REPORTS

Recommendations of the Rules Committee

120073 [Appointment, Planning Commission - Cindy Wu]
Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Cindy Wu to the Planning Commission, for the term ending July 1, 2012. (Clerk of the Board) (Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - January 27, 2012)

Motion No. M12-020

APPROVED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

120074 [Appointment, Board of Appeals - Arcelia Hurtado]
Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Arcelia Hurtado to the Board of Appeals, for the term ending July 1, 2012. (Clerk of the Board) (Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - January 27, 2012)

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to February 14, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

From the Rules Committee Without Recommendation

111212 [Charter Amendment - Replacing Ranked-Choice Voting with Run-Off Elections]
Sponsors: Farrell; Elsbernd
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 13.101, 13.101.5, 13.102, and 13.107 and Article XVII to replace ranked-choice voting with run-off elections.

Supervisor Avalos, seconded by Supervisor Elsbernd, moved that this Charter Amendment be CONTINUED to February 14, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

111329 [Charter Amendment - Consolidation of City Elections and Ranked-Choice Voting]
Sponsors: Campos; Avalos
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, 13.102, 13.103.5, and Article XVII to: 1) consolidate odd-year elections for City elective offices to a single year and 2) increase voter education and clarify implementation of ranked-choice voting.

Supervisor Avalos, seconded by Supervisor Elsbernd, moved that this Charter Amendment be CONTINUED to February 14, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

111331 [Charter Amendment - Analyzing Proposed Legislation in Relation to Net Job Loss]
Sponsor: Mayor
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 2.118, to require the Board of Supervisors to wait at least 60 days before adopting an ordinance that may result in a significant net loss of jobs in San Francisco, and to refer the ordinance to the Small Business Commission and Planning Commission for analysis.

This item was not sent as a Committee Report.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Peter Warfield; expressed concerns relating to the SF Public Library.
John; expressed various religious concerns.
Male Speaker; expressed various concerns relating to Treasure Island.
Sala; expressed various concerns relating to outpatient clinics.
Mark Trout; expressed various religious concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120091 [Commending the Mexican Museum for Distinction as New Affiliate of the Smithsonian Institute]
Sponsors: Campos; Avalos, Olague and Kim
Resolution commending the Mexican Museum for its accomplishments and for welcoming the Smithsonian Institute to the City and County of San Francisco.

Supervisor Kim reqeusted to be added as a co-sponsor.

Resolution No. 041-12

ADOPTED

120092 [American Heart Month - February 2012]
Sponsor: Chiu
Resolution recognizing February 2012, as American Heart Month in the City and County of San Francisco, and encouraging the improvement of cardiovascular health.

Resolution No. 042-12

ADOPTED

120093 [Accept and Expend Grant - Green Business Tracking Tool - $59,190]
Sponsor: Chu
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $59,190 from the California Department of Toxic Substances Control to coordinate the Green Business Tracking and Measurement Tool.

Resolution No. 039-12

ADOPTED

120094 [Accept and Expend Grant - High Technology Crimes Unit - $29,250]
Sponsor: Cohen
Resolution authorizing the Department of the District Attorney to retroactively accept and expend a grant in the amount of $29,250 through the State of California, Department of Justice, Office of the Attorney General's Privacy and Piracy Fund, for high-tech crime investigation and prosecution for the grant period of July 1, 2011, through June 30, 2012.

Resolution No. 040-12

ADOPTED

120095 [Accept and Expend Grant - Tuberculosis Epidemiologic Studies - $23,538]
Sponsor: Mar
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $23,538 from the California Department of Public Health, to participate in a program entitled Tuberculosis Epidemiologic Studies Task Order 1, "Improving the Diagnosis and Treatment of Latent Tuberculosis Infection" for the period of November 1, 2011, through September 28, 2012, and waiving indirect costs.

Resolution No. 046-12

ADOPTED

120096 [Accept and Expend Grant - Longitudinal Research to Assess HIV Risk and Resilience Among Transgender Female - $93,187]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $93,187 from the Public Health Foundation Enterprises, to participate in a program entitled "Longitudinal Research to Assess HIV Risk and Resilience Among Transgender Female" for the period of July 18, 2011, through May 31, 2012.

Resolution No. 045-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Campos

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

120120 [Appropriating $706,500 of Fund Balance to the Department of Public Works - Jefferson Street Streetscape Improvement - FY2011-2012]
Sponsors: Mayor; Chiu
Ordinance appropriating $962,038 consisting of $856,046 in fund balance and $105,992 in State Proposition 1B Local Street and Road interest earnings to the Department of Public Works in FY2011-2012 for the design of Jefferson Street Streetscape Improvements and placing $52,600 on Controller's Reserve pending receipt of the projected interest earnings.
(Fiscal Impact)

02/07/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120122 [Appropriating $3,448,350 Consisting of Fund Balance and Re-appropriating $1,800,000 to the Port Commission in FY2011-2012]
Sponsors: Mayor; Chiu
Ordinance appropriating $5,448,350 consisting of $3,448,350 in fund balance and $2,000,000 in reimbursement revenue from the America's Cup Event Authority for moving shoreside power, and re-appropriating $1,800,000 from 2010 Revenue Bond funded projects to the Port Commission in FY2011-2012 for the development of the Mixed-Use Cruise Terminal at Pier 27.

02/07/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120123 [De-appropriating $5,700,000 of 2010 Revenue Bond Proceeds and Re-appropriating to the Pier 70 Shoreside Power Project in the Port Commission for FY2011-2012]
Sponsors: Mayor; Cohen
Ordinance de-appropriating $5,700,000 of 2010 Revenue Bond Proceeds and re-appropriating $5,700,000 to the Pier 70 Shoreside Power Project in the Port Commission for FY2011-2012.

02/07/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120124 [Agreement - BAE Systems - Shoreside Power at Drydock #2 - Pier 70 - Not to Exceed $5,700,000]
Sponsors: Mayor; Cohen
Ordinance authorizing the Director of the Port to execute an agreement with BAE Systems San Francisco Ship Repair to install shoreside power equipment at Drydock #2 at Pier 70 for an amount not to exceed $5,700,000 and exempting the agreement from the contracting requirements of the Administrative Code and Environment Code.

02/07/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120125 [Planning Code - Mobile Food Facilities at Certain Institutions in Specified Districts]
Sponsor: Wiener
Ordinance: 1) amending the San Francisco Planning Code Section 205.4 to allow mobile food facilities at certain types of institutions in RH, RM, RED, and RTO Districts subject to specified conditions; and 2) making findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

02/07/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/8/2012.

Resolutions

111163 [Establishing a Balboa Park Station Community Advisory Committee]
Sponsor: Avalos
Resolution establishing a Balboa Park Station Area Plan Community Advisory Committee to provide input and community oversight relating to area transportation and other public improvements.

10/25/11; RECEIVED AND ASSIGNED to Rules Committee.

11/01/11; REFERRED TO DEPARTMENT.

02/07/12; SUBSTITUTED AND ASSIGNED to Rules Committee.

120126 [Accept and Expend Grant - Existing Commercial Buildings Energy Performance Policy Implementation - $180,000]
Sponsor: Chiu
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $180,000 from the Kresge Foundation to implement the Existing Commercial Buildings Energy Performance Ordinance (San Francisco Environment Code Chapter 20).

02/07/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120127 [Approving the 34th America's Cup Project and Related Transactions]
Sponsor: Mayor
Resolution adopting California Environmental Quality Act Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP) for the 34th America's Cup events and approving the America's Cup project; waiving certain termination rights by the City under the 34th America's Cup Host and Venue Agreement (Host Agreement); approving the Development and Disposition Agreement between the City, through its Port Commission, and the America's Cup Event Authority, LLC (Event Authority), which also amends the Host Agreement; approving a Memorandum of Agreement regarding the City's and the Event Authority's respective obligations for certain mitigation measures in the MMRP and other project-related activities; and authorizing further actions and ratifying prior actions consistent with the terms of this Resolution. (Fiscal Impact)

02/07/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120128 [Resolution of Intention to Form Waterfront Infrastructure Financing District]
Sponsor: Mayor
Resolution of Intention to establish Infrastructure Financing District No. 2 for the City and County of San Francisco at the Port of San Francisco.

02/07/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120129 [Calling a Special Municipal Election - June 5, 2012]
Sponsor: Chiu
Resolution calling a Special Municipal Election for June 5, 2012, and ordering consolidation of that election with the Statewide Presidential Primary Election to be held on the same date.

02/07/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120130 [Commending the 50th Anniversary of Tony Bennett's Recording of "I Left My Heart in San Francisco"]
Sponsor: Elsbernd
Resolution commending the 50th Anniversary of Tony Bennett's recording of "I Left My Heart in San Francisco."

02/07/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120131 [Accept and Expend Grant - Energy Performance Benchmarking Forum - $25,300]
Sponsor: Mar
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $25,300 from the Urban Sustainability Directors Network to convene a two-day forum covering adoption and implementation of energy performance benchmarking and disclosure policies.

02/07/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120132 **[Apply for, Accept, and Expend Grant - Urban Forestry Grant Program]**
Sponsor: Mayor
Resolution authorizing the Planning Department to apply for funding from the Urban Forestry Grant Program entitled "An Urban Forest for Every City" as provided through Propositions 40 and 84 to conduct a Citywide tree inventory.

02/07/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

120133 **[Hearing - Balboa BART Station Upper Yard Housing Development]**
Sponsor: Avalos
Hearing for the Municipal Transportation Authority, Department of Public Health, Mayor's Office of Housing, San Francisco County Transportation Authority, and community stakeholders to make a presentation on the action steps identified to pursue transit-oriented development at the upper yard site.

02/07/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTIONS

120075 **[Street Encroachment - Bus Stop Signs - Golden Gate Transit Bus Routes]**
Resolution: 1) granting revocable permission to Golden Gate Bridge Highway and Transportation District (Golden Gate Transit) to occupy portions of the public right-of-way to replace existing bus stop signs and install and maintain new bus stop signs at various locations along existing Golden Gate Transit bus routes; and 2) making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

01/23/12; RECEIVED FROM DEPARTMENT.

02/07/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120076 **[Airport Concession Lease - Paradies-SFO, LLC]**
Resolution approving the Terminal 3, Boarding Area F Newsstand Lease, between Paradies-SFO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

01/27/12; RECEIVED FROM DEPARTMENT.

02/07/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120077 [Settlement of Claim - Carl Brogger - Not to Exceed $240,000]
Resolution approving proposed settlement of claim by Carl Brogger against the City and County of San Francisco for an amount not to exceed $240,000; the claim was filed on January 20, 2012, bearing Claim No. 12-01603. (City Attorney)

01/30/12; RECEIVED FROM DEPARTMENT.

01/30/12; RECEIVED AND ASSIGNED to Rules Committee.

120078 [Settlement of Claim - Marco Fontana - Not to Exceed $60,000]
Resolution approving proposed settlement of claim by Marco Fontana against the City and County of San Francisco for an amount not to exceed $60,000; the claim was filed on December 2, 2011, bearing Claim No. 12-01249. (City Attorney)

01/30/12; RECEIVED FROM DEPARTMENT.

01/30/12; RECEIVED AND ASSIGNED to Rules Committee.

Request Granted

From: Supervisor Mar
To: Director, Department of Public Health
Requesting/Inquiring: Requesting the Department of Public Health to conduct two additional measurements of RF levels at the First Slavic Baptist Church of San Francisco, located at 1300 Balboa Street, San Francisco, CA 94118, one pre-installation and one post-installation pursuant to the Conditional Use Authorization (Planning Case No. 201.0198C) for 601-14th Avenue.

In Memoriam

Solomon Kahn - Supervisor Farrell

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:23 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 13, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 1 5 2013

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PUBLIC LIBRARY

Tuesday, February 14, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.

Supervisor Kim was noted present at 2:14 p.m.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

120118 [Formal Policy Discussions - February 14, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 2, 4, 6, 8, and 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Tenancies-in-common (TICs) in San Francisco have traditionally been a vehicle to allow residents in our City to realize their goal of home ownership. San Francisco has always promoted a path towards converting TICs to condominiums, which has a number of benefits - principally the ability to obtain lower interest rates for their property. Over the past decade, however, the condo conversion lottery has created a bottleneck for TIC owners, and the chances of prevailing in the condo lottery have continued to diminish year after year. To compound matters, during the recent recession the vast majority of lenders who financed TICs stopped lending into the market, leaving only a handful of financing options - at the same time many TIC owners are now facing adjustable-rate mortgages that are resetting and threatening to place many TIC owners into foreclosure. Especially given these dynamics, compounded with our looming annual budget deficits and the dismantling of our redevelopment agency, the concept of condo lottery bypass legislation whereby condo owners would be offered a one-time opportunity to pay a fee to bypass the lottery, should be a win-win situation for everyone, especially given these fees would be specifically directed towards affordable housing in San Francisco. Would you support this condo lottery bypass legislation, which would serve the dual purpose of helping vulnerable TIC owners in San Francisco, and provide a significant source of funding for our affordable housing community to plug our current budget deficit? (Supervisor Farrell, District 2)

2. Having vibrant neighborhood commercial corridors in all parts of the City is important, they are where our residents shop, eat, get services, and build a community. The City can do more to assist these corridors, but it first takes walking these corridors to understand the challenges. Will you commit to investing some time in the neighborhood commercial corridors of the Outer Sunset and explore opportunities to enhance our community? (Supervisor Chu, District 4)

3. Small businesses are a core part of what makes San Francisco the city we all have come to love, the city that people want to visit and the city that people want to move to. They define our city and our neighborhoods; they create jobs and become places for our communities to gather. We are seeing more and more of these small businesses being forced out by the rising cost of rent. In the recent past we have lost businesses like the Eagle Tavern, The John Barleycorn, Original Joe's, The Front Room, The Red Vic Theater, Mission Records and Namu. What other neighborhood serving businesses are we going to lose next? How can the City protect our existing small businesses from rising rent cost while maintaining neighborhood character and protecting jobs? How can we help them stay competitive with larger stores? (Supervisor Kim, District 6)

4. Mr. Mayor: Thank you for your leadership on housing affordability in San Francisco. Your desire to create a housing trust fund provides us with enormous opportunity to move, in a collaborative way, toward creation of a sustainable funding source for housing our diverse population. One critical aspect of addressing our housing crisis is ensuring that people of moderate and middle income -- i.e., 80%-150% of area median income -- have access to housing. Less than 1/3 of San Franciscans are moderate or middle income. This is very low and reflects the hollowing out of our middle class. We need to reverse that trend. Moreover, less than 20% of our affordable housing spending goes to moderate and middle income affordable housing. The lack of moderate/middle income affordable housing undermines our economy, our budget, and the city generally. How can we ensure that the housing trust fund that comes out of the process you have convened will meaningfully address the need for moderate/middle income housing, as opposed to paying lip service to it? (Supervisor Wiener, District 8)

5. Recently, Municipal Transportation Agency proposed extending the San Francisco Park Program (SFPark) to the Mission Bay, Dogpatch, Potrero neighborhoods, and portions of the Mission. The SFPark program has many innovative ways of managing parking such as demand

responsive pricing, longer or no time limits, and the ability to pay with a credit card. While these neighborhoods do need creative ways to address parking management, enforcement of existing parking restrictions has been inadequate and access to reliable public transportation is still limited. Additionally, after years of planning and support from the City, Production, Distribution and Repair (PDR) businesses who employ hundreds of San Franciscans have begun to thrive in these areas. I am concerned that the implementation and expansion of the SFPark program is not considering the unique transit and parking enforcement challenges of some of these neighborhoods and the unique nature of PDR businesses. What are your thoughts on how this program can be adapted and improved in order to better fit these areas and would you be supportive of evaluating the use of parking passes for employees? (Supervisor Cohen, District 10)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Rules Committee

120071 [Appointment, Child Care Planning and Advisory Council - Deepa Mehta]

Motion appointing Deepa Mehta, term ending April 19, 2013, to the Child Care Planning and Advisory Council, residency requirement waived. (Clerk of the Board)

Deepa Mehta, seat 6 (residency requirement waived), succeeding Judith Baker, resigned, must be a nominee of District 6 Supervisor selected from: a parent advisory council of public and private child care programs; an association of a child care center, a family day care provider and Head Start; a public interest organization including but not limited to the Child Care Law Center; a community organization; the Bay Area Employer Work and Family Coalition; and a member of labor organization and local organization that fall within the definition of "Community representative," for the unexpired portion of a three-year term ending April 19, 2013.

Motion No. M12-022

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

120045 **[Revising Findings - Contract Approval for Design and Construction of New Fire Station - 935 Folsom Street]**
Sponsor: Kim
Ordinance amending Ordinance No. 218-10 to revise the findings supporting the waiver of Chapter 6 of the Administrative Code for a Conditional Land Disposition and Acquisition Agreement between the City and the San Francisco Museum of Modern Art for the design and construction of the new fire station to be located at 935 Folsom Street, San Francisco, California.
(Fiscal Impact)

Ordinance No. 038-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120050 **[Administrative Code - Health Service System Plans and Contribution Rates]**
Sponsor: Chu
Ordinance amending the San Francisco Administrative Code, Chapter 16, Article XV, of Part 1, Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

Ordinance No. 039-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

101055 **[Environment Code - Checkout Bags and Checkout Bag Charge]**
Sponsors: Olague; Avalos and Campos
Ordinance amending the San Francisco Environment Code by: 1) amending Section 1702 to extend the restrictions on checkout bags from supermarkets and chain pharmacies to all retail establishments and food establishments in the City and County of San Francisco, and clarify terms; 2) adding Section 1703.5 to require stores to add a checkout bag charge of 10 cents, if they provide a customer with a checkout bag; 3) setting an operative date of October 1, 2012; and 4) making environmental findings.
(Economic Impact)

Ordinance No. 033-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

111281 [Sidewalk Width Changes - Establishing a Streamlined Process for Certain Changes]

Sponsors: Mayor; Wiener

Ordinance: 1) amending Ordinance No. 1061 to grant authorization to the Director of the Public Works Department to approve certain changes to official sidewalk widths, as specified herein, that would streamline reviews and approvals for such changes and ensure consistency with the General Plan; 2) establishing fees for processing administrative sidewalk width changes; 3) adopting environmental findings; and 4) authorizing official acts in connection with this Ordinance.

Ordinance No. 034-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111305 [Planning Code Amendments - Glen Park Area Plan]

Sponsor: Wiener

Ordinance amending the San Francisco Planning Code by: 1) adding and amending various sections to implement the Glen Park Area Plan, bounded generally by Chenery Street to the north, Roanoke Street to the east, San Jose Avenue and Bosworth Street to the south, and Elk Street to the west; 2) creating a new Section 738.1, establishing zoning controls for the Glen Park Neighborhood Commercial Transit district; and 3) making findings, including environmental findings and findings of consistency with General Plan and with the Priority Policies of Planning Code Section 101.1. (Planning Department)

Ordinance No. 035-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111306 [Zoning Map Amendments - Glen Park Area Plan]

Sponsor: Wiener

Ordinance amending the City and County of San Francisco Zoning Map Sheets ZN11 and HT11 to: 1) create a new zoning district, and amend height and bulk districts within the Glen Park Area Plan, as proposed in the Glen Park Community Plan; and 2) making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

Ordinance No. 036-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111307 [General Plan Amendments - Glen Park Area Plan]

Ordinance amending the San Francisco General Plan by adding the Glen Park Area Plan; and making findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

Ordinance No. 037-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Rules Committee

120074 [Appointment, Board of Appeals - Arcelia Hurtado]

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Arcelia Hurtado to the Board of Appeals, for the term ending July 1, 2012. (Clerk of the Board) (Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - January 27, 2012)

Motion No. M12-023

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111330 [Charter Amendment - Consolidating Odd-Year Municipal Elections]

Sponsor: Wiener

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, and Article XVII to: 1) change the election cycle for the offices of City Attorney and Treasurer so that these offices will be elected in the same years as the elections for the offices of Mayor, District Attorney, and Sheriff; and 2) to amend the definition of general municipal election so that such elections occur only in even-numbered years and every other odd-numbered year.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Charter Amendment be AMENDED, on Page 1, changing 'June 5, 2012' to 'November 6, 2012'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, and Article XVII to: 1) change the election cycle for the offices of City Attorney and Treasurer so that these offices will be elected in the same years as the elections for the offices of Mayor, District Attorney, and Sheriff; and 2) to amend the definition of general municipal election so that such elections occur only in even-numbered years and every other odd-numbered year.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Charter Amendment be RE-REFERRED AS AMENDED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Rules Committee Without Recommendation

111212 [Charter Amendment - Replacing Ranked-Choice Voting with Run-Off Elections]
Sponsors: Farrell; Elsbernd

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 13.101, 13.101.5, 13.102, and 13.107 and Article XVII to replace ranked-choice voting with run-off elections.

Supervisor Campos, seconded by Supervisor Mar, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Campos, Chiu, Mar
Noes: 7 - Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

Supervisor Campos, seconded by Supervisor Olague, moved that this Charter Amendment be TABLED. The motion carried by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Cohen, Mar, Olague
Noes: 5 - Chu, Elsbernd, Farrell, Kim, Wiener

111329 [Charter Amendment - Consolidation of City Elections and Ranked-Choice Voting]
Sponsors: Campos; Avalos

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, 13.102, 13.103.5, and Article XVII to: 1) consolidate odd-year elections for City elective offices to a single year and 2) increase voter education and clarify implementation of ranked-choice voting.

Supervisor Campos, seconded by Supervisor Mar, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Campos, Chiu, Mar
Noes: 7 - Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Charter Amendment be TABLED. The motion FAILED by the following vote:

Ayes: 4 - Chu, Cohen, Farrell, Wiener
Noes: 7 - Avalos, Campos, Chiu, Elsbernd, Kim, Mar, Olague

Supervisor Campos, seconded by Supervisor Olague, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Supervisor Chu was noted absent at 4:37 p.m. for the remainder of the meeting.

Recommendations of the Budget and Finance Committee

120038 [Real Property Lease - Sheriff's Department - 1740 Folsom Street]
Resolution authorizing the exercise of a five year option to extend the lease of approximately 18,862 square feet of space at 1740 Folsom Street for the Sheriff's Department with Mark Nelson Development and New California Land Company. (Real Estate Department)
(Fiscal Impact)

Resolution No. 047-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Chu

120041 [Agreement - Architectural and Engineering Design Services - 525 Golden Gate Avenue - Not to Exceed $14,414,758]
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to Architectural and Engineering Design Services Agreement No. CS-842 for the new San Francisco Public Utilities Commission administration building project located at 525 Golden Gate Avenue increasing the agreement not-to-exceed amount to $14,414,758 pursuant to Charter Section 9.118. (Public Utilities Commission)

Resolution No. 048-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Chu

120086 [Request for Proposal - City's Cash Management Banking Services]
Sponsors: Avalos; Chiu, Mar, Campos and Cohen
Resolution supporting the City's Office of the Treasurer-Tax Collector's efforts to integrate community reinvestment measures and social responsibility language into the City's Cash Management Banking Services Request for Proposal.

Supervisors Chiu, Mar, Campos, and Cohen requested to be added as co-sponsors.

Resolution No. 053-12

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Chu

Recommendation of the Land Use and Economic Development Committee

120003 [Public Infrastructure Improvements - Mission Bay South - Blocks 2-7 and 13 Phase I]

Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 2-7 and 13 Phase I including acquisition facilities on portions of Fourth Street, Mission Rock Street, China Basin Street, Mission Bay Boulevard North, and Mission Bay Boulevard South; 2) accepting additional property on portions of Fourth Street, Mission Rock Street, and China Basin Street; 3) declaring City property and additional property as shown on official Department of Public Works maps as open public right-of-way; 4) dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; 5) establishing street grades and sidewalk widths; 6) accepting said facilities for City maintenance and liability purposes, subject to specified limitations; 6) adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; 7) accepting a Department of Public Works Order; and 8) authorizing official acts in connection with this Ordinance. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Chu

Recommendation of the Rules Committee

Supervisor Olague Excused from Voting

Supervisor Avalos, seconded by Supervisor Campos, moved that Supervisor Olague be excused from voting on File No. 120064. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague
Absent: 1 - Chu

120064 [Appointment, Reentry Council - Supervisor Christina Olague]

Motion appointing Supervisor Christina Olague, term ending June 7, 2013, to the Reentry Council. (Clerk of the Board)

Motion No. M12-024

APPROVED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 1 - Olague
Absent: 1 - Chu

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Farrell, seconded by Supervisor Chu, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

BLACK HISTORY MONTH
Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Black History Month, their accomplishments, and their continued community support as referenced below:

Supervisor Elsbernd recognized Carolyn Tyler (ABC7); and
Supervisor Chu recognized Brenda Joyce Richard; and
Supervisor Kim recognized Sandra Manning and John Powell; and
Supervisor Wiener recognized Julius Turman (Police Commission); and
Supervisor Cohen recognized Raquel Miller; and
Jason Elliott, representing on behalf of Mayor Lee, recognized Tomiquia Moss; and
Supervisor Mar recognized Noah Griffin; and
Supervisor Chiu recognized Kimberly Bryant; and
Supervisor Olague recognized Carmen Johnson and Agonafer Shiferaw; and
Supervisor Elsbernd recognized Don Collins (Commissioner of Athletics - SFUSD); and
Supervisor Campos recognized Mama Georgia Willette; and
Supervisor Avalos recognized Donneter Lane.

Supervisor Farrell was noted absent at 3:44 p.m. and noted present at 4:02 p.m.
Supervisor Cohen was noted absent at 4:12 p.m. and noted present at 4:21 p.m.
Supervisor Farrell was noted absent at 4:37 p.m. and noted present at 4:43 p.m.
Supervisor Elsbernd was noted absent at 4:50 p.m. and noted present at 5:07 p.m.

COMMITTEE REPORTS

Recommendations of the Land Use and Economic Development Committee

111210 [Planning Code - Chinatown Transit Station Special Use District]
Sponsor: Chiu
Ordinance amending the San Francisco Planning Code Section 249.66 to: 1) create the Chinatown Transit Station Special Use District at the southwest corner of Stockton Street and Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building in the Chinatown Neighborhood Commercial District for the construction of the Chinatown Station of the Central Subway; and 3) adopt findings, including General Plan Consistency Findings and findings under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Chu

111211 **[Zoning Map Amendment - Chinatown Transit Station Special Use District]**
Sponsor: Chiu

Ordinance amending the San Francisco Planning Code Sectional Maps SU01 of the Zoning Map of the City and County of San Francisco to: 1) reflect the creation of the Chinatown Transit Station Special Use District, Planning Code Section 249.66, at the southwest corner of Stockton Street and Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building in the Chinatown Neighborhood Commercial District for the construction of the Chinatown Station of the Central Subway; and 3) adopting findings, including General Plan Consistency Findings, Planning Code Section 101.1 and 302 findings, and findings under the California Environmental Quality Act.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Chu

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
Ernestine Weiss; expressed various concerns relating to 8 Washington.
James Chaffee; expressed concerns relating to the SF Public Library.
Peter Warfield; expressed concerns relating to the SF Public Library.
Shana Crochenair; expresssed various concerns relating to medical cannabis.
Denise Dorey; expresssed various concerns relating to medical cannabis.
Gregory Ledbetter; expresssed various concerns relating to medical cannabis.
Caren Woodson; expresssed various concerns relating to medical cannabis.
Tony Bowles; expresssed various concerns relating to medical cannabis.
John Stone; expresssed various concerns relating to medical cannabis.
John Gout; expresssed various concerns relating to medical cannabis.
Marquis Ausby; expresssed various concerns relating to medical cannabis.
Penny Grham; expresssed various concerns relating to medical cannabis.
Edmond Juicye; expressed various concerns.
Female Speaker; expresssed various concerns relating to medical cannabis.
Nay-Nay; expresssed various concerns relating to medical cannabis.
David Goldman; expresssed various concerns relating to medical cannabis.
Michael Koehn; expresssed various concerns relating to medical cannabis.
Gregory Lyons; expresssed various concerns relating to medical cannabis.
Terri Frye; expresssed various concerns relating to medical cannabis.
Male Speaker; expresssed various concerns relating to medical cannabis.
Dan Manila; expresssed various concerns relating to medical cannabis.
Stacey Sky; expresssed various concerns relating to medical cannabis.
Allys; expresssed various concerns relating to medical cannabis.
Otto Duffy; expressed various concerns.
Ray Hartz; expressed concerns relating to government.
Male Speaker; expressed various religious concerns.
Female Speaker; expresssed various concerns relating to medical cannabis.

Supervisor Chiu was noted absent at 5:35 p.m. and noted present at 6:11 p.m.
Supervisor Mar was noted absent at 5:35 p.m. for the remainder of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120129 [Calling a Special Municipal Election - June 5, 2012]
Sponsor: Chiu
Resolution calling a Special Municipal Election for June 5, 2012, and ordering consolidation of that election with the Statewide Presidential Primary Election to be held on the same date.

Resolution No. 049-12

ADOPTED

120130 [Commending the 50th Anniversary of Tony Bennett's Recording of "I Left My Heart in San Francisco"]
Sponsor: Elsbernd
Resolution commending the 50th Anniversary of Tony Bennett's recording of "I Left My Heart in San Francisco."

Resolution No. 050-12

ADOPTED

120131 [Accept and Expend Grant - Energy Performance Benchmarking Forum - $25,300]
Sponsor: Mar
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $25,300 from the Urban Sustainability Directors Network to convene a two-day forum covering adoption and implementation of energy performance benchmarking and disclosure policies.

Resolution No. 051-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Absent: 2 - Chu, Mar

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Wiener requested that File No. 120132 be severed so that it may be considered separately.

120132 [Apply for, Accept, and Expend Grant - Urban Forestry Grant Program]
Sponsor: Mayor
Resolution authorizing the Planning Department to apply for funding from the Urban Forestry Grant Program entitled "An Urban Forest for Every City" as provided through Propositions 40 and 84 to conduct a Citywide tree inventory.

Supervisor Wiener, seconded by Supervisor Campos, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Absent: 2 - Chu, Mar

Resolution authorizing the City and County of San Francisco to apply for, accept, and expend funding from the Urban Forestry Grant Program entitled "An Urban Forest for Every City" as provided through propositions 40 and 84.

Resolution No. 052-12

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener
Absent: 2 - Chu, Mar

IMPERATIVE AGENDA

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinance

120142 [Transportation Code - Large Vehicle Parking Restrictions]
Sponsor: Chu
Ordinance amending the San Francisco Transportation Code, Division I, Article 7, by adding Section 7.2.54 to prohibit the on-street parking of any vehicle over 22 feet in length or seven feet in height, camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, recreational vehicles, or semi-trailers as defined by the California Vehicle Code and Health and Safety Code, between the hours of 12 a.m. and 6 a.m. when Municipal Transportation Agency signs are posted giving notice; and making environmental findings.

02/14/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/15/2012.

02/14/12; RESPONSE RECEIVED.

Resolutions

120143 [Approval of the Youth Violence Prevention Initiative: Local Action Plan - 2012 Update]
Sponsors: Avalos; Mar
Resolution approving the San Francisco Juvenile Justice Coordinating Council's Youth Violence Prevention Initiative: Local Action Plan - 2012 Update.

02/14/12; RECEIVED AND ASSIGNED to Public Safety Committee.

120144 [Accept and Expend Grant - Wolfe Lane Community Garden Plot Terraces Rebuild - $116,000]

Sponsor: Campos

Resolution authorizing the Department of Recreation and Park to retroactively accept and expend a grant valued at $116,000 from the San Francisco Conservation Corps to rebuild community garden plot terraces at Wolfe Lane Community Garden.

02/14/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120145 [Accept and Expend Grant - Teen Center Learning Lab at Main Library and Citywide Framework - $99,680]

Sponsor: Kim

Resolution authorizing the Department of Public Library to retroactively accept and expend a grant in the amount of $99,680 from the Institute of Museum and Library Services for a planning process, in partnership with the Bay Area Video Coalition, the California Academy of Sciences, and KQED to achieve two primary goals to: 1) develop a vision, program design, and test a Teen Center Learning Lab at the Main Library; and 2) develop a citywide framework for incorporating content-based curriculum in a shared online platform, with the help of a broad consortium of youth service providers and a team of youth leaders across the City.

02/14/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120146 [Accept and Expend Grant - San Francisco Health in All Policies: Transforming Places, Empowering People - $815,358]

Sponsor: Mar

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $815,358 from the Centers for Disease Control and Prevention to participate in a program entitled "San Francisco Health in All Policies: Transforming Places, Empowering People" for the period of September 30, 2011, through September 29, 2012.

02/14/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

120147 [Accept and Expend Grant - Viral Hepatitis Surveillance - $137,933]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $137,933 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "Viral Hepatitis Surveillance in the City and County of San Francisco" for the period of January 1, 2012, through October 31, 2012, and waiving indirect costs.

02/14/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

120151 [Approval of a 30-Day Extension for Planning Commission Review of Uses, Signs, Building Features, Floor Area Ratio, Parking, and Compliance in Specified Use Districts (File No. 110548)]

Sponsor: Chiu

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110548) amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3, 607.4, and amending various other Code sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy, and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

120152 [Approval of a 30-Day Extension for Planning Commission Review of Washington-Broadway Special Use District 1; Waterfront Special Use Districts 2 and 3; Special Districts for Sign Illumination; and Special Districts for Scenic Streets (File No. 110547)]

Sponsor: Chiu

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110547) amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

120153 [Authorizing the Assessor-Recorder to Participate in the Electronic Recording Delivery Act of 2004]

Sponsor: Chiu

Resolution authorizing the Assessor-Recorder to participate in the Electronic Recording Delivery Act of 2004.

120154 [CalPERS - Pre-Tax Payroll Deduction Plan]

Sponsor: Elsbernd

Resolution authorizing the City and County of San Francisco to implement a pre-tax payroll deduction plan for all employees in CalPERS, pursuant to the Internal Revenue Code Section 414(h)(2).

120155 [Accept and Expend Grant - Pest Exclusion High Risk Inspections and Enforcement - $47,983.25]
Sponsor: Mar
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant (Agreement No. 11-0127) in the amount of $47,983.25 from the California Department of Food and Agriculture to participate in a program entitled Pest Exclusion High Risk Inspections and Enforcement for the period of July 1, 2011, through June 30, 2012.

120156 [Accept and Expend Grant - San Francisco Hepatitis B Free Best Practices Evaluation Project - $63,480]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $63,480 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "San Francisco Hepatitis B Free Best Practices Evaluation Project" for the period of January 1, 2012, through June 30, 2013, and waiving indirect costs.

120157 [Accept and Expend Grant - Risk-Based Initiative - $67,583]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $67,583 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "Risk-Based Initiative" for the period of August 10, 2011, through August 9, 2012.

Request for Hearing

120158 [Hearing - Legislative Analyst Report on Performance Audit of San Francisco's Affordable Housing Policies and Programs]
Sponsors: Kim; Campos
Hearing to consider findings and recommendations of the Budget and Legislative Analyst's Report on the "Performance Audit of San Francisco's Affordable Housing Policies and Programs," including presentations by the Planning Department and the Mayor's Office of Housing in response to the Audit's recommendations and solutions to meeting the City's Regional Housing Needs Allocation Goals set by the San Francisco General Plan Housing Element.

02/14/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

120148 [Setting the 2012 Budget and Legislative Analyst Services Audit Plan]
Sponsor: Farrell
Motion directing the Budget and Legislative Analyst to conduct three performance audits in 2012 and setting the priority as follows: 1) the Department of Public Health's and Human Services Agency's management of professional services contracts; 2) City departments' management and oversight of the former San Francisco Redevelopment Agency's assets and functions; and 3) the Adult Probation and Sheriff's Departments' implementation of Public Safety Realignment.

02/14/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120149 [Setting the 2012 Budget and Legislative Analyst Services Work Plan]
Sponsor: Farrell
Motion approving the Budget and Legislative Analyst Services work plan for 2012, which: 1) allocates hours for calendar year 2012, 2) authorizes the Budget and Legislative Analyst to reallocate up to 10% of the hours between service categories based on Board of Supervisors service needs, and 3) requires Board of Supervisors approval of hours re-allocation greater than 10%; and establishes performance goals and sets a date for the 2012 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

02/14/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120150 [Suspending Board Rule 4.38 to Permit the Board of Supervisors to Consider an Amendment to Rule 5.7 Extending the Joint City and School District Select Committee for One Year Ending March 1, 2013, and Setting Monthly Meetings]
Sponsor: Campos
Motion suspending Rule 4.38 of the Board of Supervisors' Rules of Order to consider, without reference, an amendment to Rule 5.7 to extend the term of the Joint City and School District Select Committee for one year ending March 1, 2013; ordering the Joint City and School District Select Committee meetings be held on 4th Thursdays of each month at 3:30 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCE

120134 [Settlement of Lawsuit - Timothy Hoyt - $80,000]
Ordinance authorizing settlement of the lawsuit filed by Timothy Hoyt against the City and County of San Francisco for $80,000; the lawsuit was filed on April 26, 2010, in U.S. District Court, Case No. CV 10-01778 RS; entitled Timothy Hoyt v. the City and County of San Francisco, et al. (City Attorney)

02/01/12; RECEIVED FROM DEPARTMENT.

02/14/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

120135 [Settlement of Unlitigated Claim - Kinuko Jorgensen - $26,226.57]
Resolution approving the proposed settlement of the case of Kinuko Jorgensen vs. the City and County of San Francisco for $26,226.57, Unlitigated Claim No. 12-00302. (City Attorney)

02/01/12; RECEIVED FROM DEPARTMENT.

02/14/12; RECEIVED AND ASSIGNED to Rules Committee.

120136 [Settlement of Unlitigated Claim - Debra Reed - $37,500]
Resolution approving the settlement of the unlitigated claim filed by Debra Reed vs. the City and County of San Francisco for $37,500; claim was filed on April 10, 2011. (City Attorney)

02/01/12; RECEIVED FROM DEPARTMENT.

02/14/12; RECEIVED AND ASSIGNED to Rules Committee.

In Memoriams

Diane Perez – Entire Board
May Louie – Entire Board

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:21 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 20, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, February 28, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of January 10, 2012, and January 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Rules Committee

120065 [Appointment, Pedestrian Safety Advisory Committee - Abigail Evans]

Motion appointing Abigail Evans, term ending March 28, 2014, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Abigail Evans, seat 8, succeeding Dahianna Lopez, resigned, must be a representative from a public health organization, for the unexpired portion of a two-year term ending March 28, 2014.

APPROVED

The foregoing item was acted upon by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Cohen, seconded by Supervisor Kim, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Motion No. M12-025

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the Consent Agenda

Supervisor Cohen requested that File No. 120121 be severed so that it may be considered separately.

120121 [Appointments, Small Business Commission - Monetta White and William Ortiz-Cartagena]

Motion appointing Monetta White and William Ortiz-Cartagena, terms ending January 6, 2016, to the Small Business Commission. (Clerk of the Board)

APPROVED

The foregoing item was acted upon by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Cohen, seconded by Supervisor Kim, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Cohen, seconded by Supervisor Olague, moved that this Motion be CONTINUED to March 6, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

111210 [Planning Code - Chinatown Transit Station Special Use District]
Sponsor: Chiu

Ordinance amending the San Francisco Planning Code Section 249.66 to: 1) create the Chinatown Transit Station Special Use District at the southwest corner of Stockton Street and Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building in the Chinatown Residential Neighborhood Commercial District for the construction of the Chinatown Station of the Central Subway; and 3) adopt findings, including Planning Code Section 302 Findings, General Plan Consistency Findings, and findings under the California Environmental Quality Act.

Ordinance No. 041-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111211 [Zoning Map Amendment - Chinatown Transit Station Special Use District]
Sponsor: Chiu

Ordinance amending the San Francisco Planning Code Sectional Maps SU01 of the Zoning Map of the City and County of San Francisco to: 1) reflect the creation of the Chinatown Transit Station Special Use District, Planning Code Section 249.66, at the southwest corner of Stockton Street and Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building in the Chinatown Residential Neighborhood Commercial District for the construction of the Chinatown Station of the Central Subway; and 3) adopting findings, including General Plan Consistency Findings, Planning Code Section 101.1 and 302 findings, and findings under the California Environmental Quality Act.

Ordinance No. 040-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120003 [Public Infrastructure Improvements - Mission Bay South - Blocks 2-7 and 13 Phase I]

Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 2-7 and 13 Phase I including acquisition facilities on portions of Fourth Street, Mission Rock Street, China Basin Street, Mission Bay Boulevard North, and Mission Bay Boulevard South; 2) accepting additional property on portions of Fourth Street, Mission Rock Street, and China Basin Street; 3) declaring City property and additional property as shown on official Department of Public Works maps as open public right-of-way; 4) dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; 5) establishing street grades and sidewalk widths; 6) accepting said facilities for City maintenance and liability purposes, subject to specified limitations; 6) adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; 7) accepting a Department of Public Works Order; and 8) authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 042-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120039 [Real Property Lease, Sublease, and Transfer Agreement Amendment - Court Facility - 575 Polk Street]

Resolution: 1) approving a lease of approximately 9,000 square feet at 575 Polk Street with the Mattison Family Trust for an initial base rent of $25,597 per month; 2) a sublease of 575 Polk Street premises with the State of California, Judicial Council of California - Administrative Office of the Courts for use by the San Francisco Superior Court; 3) an amendment to the transfer agreement for the court facility at 575 Polk Street; and 4) authorizing other actions in furtherance of this Resolution. (Real Estate Department)
(Fiscal Impact)

Resolution No. 067-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120040 [Real Property Lease Expansion - Community Justice Center - 555 Polk Street]

Resolution: 1) approving the exercise of a lease expansion of approximately 9,000 square feet at 555 Polk Street with the Mattison Family Trust at a base rent of $16,100 per month, for use by the Department of Public Health as a Community Justice Center; and 2) authorizing other actions in furtherance of this Resolution. (Real Estate Department)

Resolution No. 068-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120076 [Airport Concession Lease - Paradies-SFO, LLC]

Resolution approving the Terminal 3, Boarding Area F Newsstand Lease, between Paradies-SFO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 069-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120085 [Accept and Expend Grant - Agreement - Transit Oriented Development Housing Program - $4,700,000]

Sponsors: Mayor; Kim

Resolution authorizing any designee of the Mayor from the Mayor's Office of Housing to enter into a standard agreement and disbursement agreement with the California State Department of Housing and Community Development to accept and expend $4,700,000 of Transit Oriented Development Infrastructure Grant Program funds associated with the 1180-4th Street affordable housing project; the execution of an agreement with the Project Sponsor for disbursement of grant funds; and the execution of any related documents necessary to participate in the Transit Oriented Development Infrastructure Grant Program.

Resolution No. 070-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120087 [Accept and Expend Grant - Kindergarten to College Program Participant Incentive Funds - $190,000]

Sponsor: Campos

Resolution authorizing the Office of Treasurer-Tax Collector to accept and expend a grant in the amount of $190,000 from the Earned Assets Resource Network for Kindergarten to College Program Participant Incentive Funds.

Resolution No. 066-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120088 [Revocable Permit - Union Sanitary District - Bay Division Pipeline Nos. 3 and 4 Seismic Upgrade Project]

Sponsor: Elsbernd

Resolution authorizing issuance of a revocable permit by the San Francisco Public Utilities Commission to Union Sanitary District for the improvements to the regional water supply system, otherwise known as Project No. CUW35302 Seismic Upgrade of Bay Division Pipeline Nos. 3 and 4 for a term in excess of ten years, pursuant to Charter Section 9.118, and adopting findings pursuant to the California Environmental Quality Act.

Resolution No. 065-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120089 [Accept and Expend Grant - San Francisco Minority AIDS Initiative - $1,352,141]
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $1,352,141 from the Substance Abuse and Mental Health Services Administration to participate in a program entitled "San Francisco Minority AIDS Initiative" for the period of September 30, 2011, through September 29, 2012, and waiving indirect costs.

Resolution No. 071-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120090 [Accept and Expend Grant - Centers for Disease Control and Prevention Kenya-Monitoring and Evaluation - $256,846]
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $256,846 from the University of California San Francisco to participate in a program entitled "Centers for Disease Control and Prevention Kenya-Monitoring and Evaluation" for the period of September 30, 2011, through September 29, 2012.

Resolution No. 064-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Public Safety Committee

111029 [Environment Code - Tenant Bicycle Parking in Existing Commercial Buildings]
Sponsors: Avalos; Kim, Mar, Campos, Olague and Chiu
Ordinance amending the San Francisco Environment Code, Section 400, and adding Section 402, to: 1) require the owners of existing commercial buildings to either provide secure bicycle parking in their buildings or allow their tenants to bring their bicycles into the building; 2) provide that the Ordinance's operative date is January 1, 2012, or 30 days from the effective date of the Ordinance, whichever is later; and 3) make environmental findings.

Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to March 6, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Rules Committee

111079 [Administrative Code - Additional Pre-Approval Notice for Certain City Projects]
Sponsor: Farrell
Ordinance amending the San Francisco Administrative Code by adding Chapter 79A to expand upon the minimum notice requirements prior to approval of a City project that are mandated by the Citizens' Right-to-Know Act of 1998.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111189 [Administrative Code - Right to Counsel in Civil Matters]
Sponsors: Chiu, Kim, Wiener, Olague, Farrell, Campos and Cohen
Ordinance amending the San Francisco Administrative Code by adding Article 58, Sections 58.1 through 58.3 to: 1) declare San Francisco to be a Right to Civil Counsel City; and 2) declare the intent of the Board of Supervisors to create a one-year San Francisco Right to Civil Counsel pilot program.

Supervisor Cohen requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Noes: 2 - Chu, Elsbernd

111277 [Campaign and Governmental Conduct Code - Certification of Supervisorial Candidates' Eligibility for Public Financing in 2012]
Sponsor: Cohen
Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 1.142 to delay the certification of 2012 supervisorial candidates seeking public financing until the Redistricting Task Force completes its revision of supervisorial district boundaries.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Kim was noted absent at 3:35 p.m. and noted present at 3:43 p.m.

111163 [Establishing a Balboa Park Station Community Advisory Committee]
Sponsor: Avalos
Resolution establishing a Balboa Park Station Area Plan Community Advisory Committee to provide input and community oversight relating to area transportation and other public improvements.

Supervisor Avalos, seconded by Supervisor Chu, moved that this Resolution be AMENDED on Page 3, Lines 7-9, by adding 'The CAC shall sunset two years after the date of the first meeting, unless the Board of Supervisors, by resolution, extends its term, based on' and deleting 'after which the CAC may be reauthorized per.' The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener
Absent: 1 - Kim

Resolution No. 063-12

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener
Absent: 1 - Kim

SPECIAL ORDER 3:00 P.M.

Privilege of the floor was granted to Michael Martin (Mayor's Office of Economic and Workforce Development) who provided an overview of the proposed amendments relating to the America's Cup Project relating to File Nos. 120169, 120151, 120152, and 120169.

Board of Supervisors Sitting as a Committee of the Whole

120170 [Hearing - Amendments to the 34th America's Cup Project and Related Transactions, and Resolution of Intent to Form the Waterfront Infrastructure Financing District]

Hearing of persons interested in or objecting to amendments to the proposed Resolution approving the 34th America's Cup Project and related transactions, and the proposed Resolution of Intent to Form the Waterfront Infrastructure Financing District. (Clerk of the Board)

Due to the action of File No. 120169 this item was CONTINUED to March 27, 2012, at 3:00 p.m.

CONTINUED to March 27, 2012, at 3:00 p.m.

Committee of the Whole Adjourn and Report

From the Budget and Finance Committee Without Recommendation

120127 [Approving the 34th America's Cup Project and Related Transactions]

Sponsor: Mayor

Resolution adopting California Environmental Quality Act Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP) for the 34th America's Cup events and approving the America's Cup project; waiving certain termination rights by the City under the 34th America's Cup Host and Venue Agreement (Host Agreement); approving the Development and Disposition Agreement between the City, through its Port Commission, and the America's Cup Event Authority, LLC (Event Authority), which also amends the Host Agreement; approving a Memorandum of Agreement regarding the City's and the Event Authority's respective obligations for certain mitigation measures in the MMRP and other project-related activities; and authorizing further actions and ratifying prior actions consistent with the terms of this Resolution. (Fiscal Impact)

(Supervisor Avalos dissented in Committee)

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to March 20, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED to March 27, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120128 [Resolution of Intention to Form Waterfront Infrastructure Financing District]
Sponsors: Mayor; Chiu

Resolution of Intention to establish Infrastructure Financing District No. 2 for the City and County of San Francisco at the Port of San Francisco.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to March 20, 2012. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED to March 27, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMITTEE REPORTS

Recommendations of the Rules Committee

111082 [Campaign and Governmental Conduct and Municipal Elections Codes - Amending Public Financing Program]
Sponsors: Kim; Campos, Mar and Avalos

Ordinance amending the Campaign and Governmental Conduct Code and the Municipal Elections Code to modify expenditure ceilings for the City's public financing program, to delay the date on which public funds may be disbursed, to change the qualification requirements for participating candidates, and to advance the date by which all local candidates must file their nomination papers.

Supervisor Chu moved to divide the question relating to 'fiscal year starting balance' located on Page 3, Lines 3-5, and Page 4, Lines 2-8. The divided question PASSED by the following vote:
Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

Supervisor Wiener, seconded by Supervisor Kim, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Ordinance amending the Campaign and Governmental Conduct Code and the Municipal Elections Code to modify funding of the City's public financing program, to increase expenditure ceilings for supervisorial candidates, to delay the date on which public funds may be disbursed, to change the qualification requirements for participating candidates, and to advance the date by which all local candidates must file their nomination papers.

Supervisor Kim, seconded by Supervisor Wiener, moved that this Ordinance be RE-REFERRED AS AMENDED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120020 [Initiative Ordinance - Campaign & Governmental Conduct, Municipal Elections Codes - Improving Public Financing of Elections]
Sponsors: Campos; Avalos and Kim
Motion ordering submitted to the voters an ordinance authorizing the amendment of the Campaign and Governmental Conduct Code and Municipal Elections Code to adjust expenditure ceilings in the public financing program in response to the U.S. Supreme Court ruling in Arizona Free Enterprise v. Bennett, adjust public financing deadlines and thresholds, and advance candidate filing deadlines, at an election to be held on June 5, 2012.

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Noes: 2 - Chu, Elsbernd

120077 [Settlement of Claim - Carl Brogger - Not to Exceed $240,000]
Resolution approving proposed settlement of claim by Carl Brogger against the City and County of San Francisco for an amount not to exceed $240,000; the claim was filed on January 20, 2012, bearing Claim No. 12-01603. (City Attorney)

Resolution No. 062-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120078 [Settlement of Claim - Marco Fontana - Not to Exceed $60,000]
Resolution approving proposed settlement of claim by Marco Fontana against the City and County of San Francisco for an amount not to exceed $60,000; the claim was filed on December 2, 2011, bearing Claim No. 12-01249. (City Attorney)

Resolution No. 061-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Dr. Derek Kern; expressed concerns relating to the Sunshine Ordinance audit.
Peter Warfield; expressed concerns relating to the Sunshine Ordinance audit.
Female Speaker; expressed concerns relating to sewage plant.
Loren Hackman; expressed concerns relating to initiatives relating to public workers.
Female Speaker; expressed concerns relating to wrongful termination.
Steve Seltzer; expressed concerns relating to initiatives relating to public workers.
Male Speaker; expressed various religious concerns.
Paul Courier; expressed concerns relating to televising housing authority meetings.
Allen Jones; expressed various concerns relating to civil rights and Black Future Month.
Tony Bowles; expressed concerns relating to medical cannabis.
Leam Daniels; expressed various concerns relating to low-income renters.
Cliff; expressed various concerns relating to Parkmerced Development Agreement.
Pastor Gavin; expressed concerns relating to racial comments.
Tomas; expressed various concerns relating to City projects.
Espanola Jackson; expressed various concerns relating to the San Francisco 49ers.
Eliana Rivera; expressed concerns relating to the Sunshine Ordinance audit.
Ray Hartz; expressed concerns relating to government.
Walter Paulson; shared in song certain concerns with the Board.
Vince Courtney; expressed various concerns relating to the America's Cup.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120151 [Approval of a 30-Day Extension for Planning Commission Review of Uses, Signs, Building Features, Floor Area Ratio, Parking, and Compliance in Specified Use Districts (File No. 110548)]

Sponsor: Chiu

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110548) amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3, 607.4, and amending various other Code sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy, and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Resolution No. 060-12

ADOPTED

120152 [Approval of a 30-Day Extension for Planning Commission Review of Washington-Broadway Special Use District 1; Waterfront Special Use Districts 2 and 3; Special Districts for Sign Illumination; and Special Districts for Scenic Streets (File No. 110547)]

Sponsor: Chiu

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110547) amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Resolution No. 059-12

ADOPTED

120153 [Authorizing the Assessor-Recorder to Participate in the Electronic Recording Delivery Act of 2004]

Sponsor: Chiu

Resolution authorizing the Assessor-Recorder to participate in the Electronic Recording Delivery Act of 2004.

Resolution No. 058-12

ADOPTED

120154 [CalPERS - Pre-Tax Payroll Deduction Plan]

Sponsor: Elsbernd

Resolution authorizing the City and County of San Francisco to implement a pre-tax payroll deduction plan for all employees in CalPERS, pursuant to the Internal Revenue Code Section 414(h)(2).

Resolution No. 057-12

ADOPTED

120155 [Accept and Expend Grant - Pest Exclusion High Risk Inspections and Enforcement - $47,983.25]

Sponsor: Mar

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant (Agreement No. 11-0127) in the amount of $47,983.25 from the California Department of Food and Agriculture to participate in a program entitled Pest Exclusion High Risk Inspections and Enforcement for the period of July 1, 2011, through June 30, 2012.

Resolution No. 056-12

ADOPTED

120156 [Accept and Expend Grant - San Francisco Hepatitis B Free Best Practices Evaluation Project - $63,480]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $63,480 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "San Francisco Hepatitis B Free Best Practices Evaluation Project" for the period of January 1, 2012, through June 30, 2013, and waiving indirect costs.

Resolution No. 055-12

ADOPTED

120157 [Accept and Expend Grant - Risk-Based Initiative - $67,583]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $67,583 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "Risk-Based Initiative" for the period of August 10, 2011, through August 9, 2012.

Resolution No. 054-12

ADOPTED

120150 [Suspending Board Rule 4.38 to Permit the Board of Supervisors to Consider an Amendment to Rule 5.7 Extending the Joint City and School District Select Committee for One Year Ending March 1, 2013, and Setting Monthly Meetings]
Sponsor: Campos
Motion suspending Rule 4.38 of the Board of Supervisors' Rules of Order to consider, without reference, an amendment to Rule 5.7 to extend the term of the Joint City and School District Select Committee for one year ending March 1, 2013; ordering the Joint City and School District Select Committee meetings be held on 4th Thursdays of each month at 3:30 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

Motion No. M12-026

APPROVED

120167 [Final Map 6510: 1371-1375 Grove Street]
Motion approving Final Map 6510, a Five Unit Residential Condominium Project, located at 1371-1375 Grove Street, being a subdivision of Assessor's Block No. 1201, Lot No. 031; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M12-027

APPROVED

120168 [Final Map 5674: 1994 Carroll Avenue and 2525 Phelps Street]
Motion approving Final Map 5674, a Three Lot Subdivision, including an Eight Unit Commercial Condominium Project, located at 1994 Carroll Avenue and 2525 Phelps Street, in Assessor's Block No. 5423A, Lot Nos. 014 and 015; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M12-028

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 120169 be severed so that it may be considered separately.

120169 [Committee of the Whole - Approving Amendments to the 34th America's Cup Project and Related Transactions, and Resolution of Intent to Form the Waterfront Infrastructure Financing District - March 27, 2012]

Sponsor: Chiu

Motion scheduling the Board to sit as a Committee of the Whole on February 28, 2012, at 3 p.m., to hold a public hearing on amendments to a Resolution approving the 34th America's Cup Project and related transactions, and a Resolution of Intent to Form the Waterfront Infrastructure Financing District.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

APPROVED AS AMENDED by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

The President inquired as to whether any member of the public wished to address the Board relating to File No. 120126. There were no speakers. The President declared public comment closed.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Motion scheduling the Board to sit as a Committee of the Whole on March 27, 2012, at 3 p.m., to hold a public hearing on amendments to a Resolution approving the 34th America's Cup Project and related transactions, and a Resolution of Intent to Form the Waterfront Infrastructure Financing District.

Motion No. M12-029

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

120188 [Planning, Building Codes - Fee Waiver Program - Small Business Month - May 2012]
Sponsor: Chu
Ordinance: 1) recognizing Small Business Month in May 2012; 2) amending the San Francisco Planning Code, and the San Francisco Building Code, to waive fees for the month of May for certain façade improvements; 3) making findings including environmental findings, findings of consistency with the General Plan, and priority policies of Planning Code Section 101.1.
02/28/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/29/2012.

120189 [Memorandum of Understanding, Amendment 2 - Service Employees International Union, Local 1021]
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 2 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, by implementing specified terms and conditions of employment for FY2011-2012.
02/28/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120190 [Accept and Expend Grant - 2011 Homeland Security Grant Program and Amendment to Annual Salary Ordinance - $1,434,644]
Sponsor: Mayor
Ordinance authorizing the Department of Emergency Management to retroactively accept and expend a FY2011 Homeland Security Grant Program grant in the amount of $1,434,644 from the United States Department of Homeland Security, through the California Emergency Management Agency, for building and sustaining preparedness capabilities; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012 and FY2012-2013) to provide for the creation of one (1) grant-funded 0931 Manager III position (1 FTE) in the Department of Emergency Management.
02/28/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120191 [Building Code - Definition of Efficiency Unit]
Sponsor: Wiener
Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.
02/28/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/29/2012.

120192 [Administrative Code - Board Approval of Grants Over $100,000]
Sponsor: Wiener
Ordinance amending the San Francisco Administrative Code Section 10.170-1 to set a threshold of $100,000 or more for Board of Supervisors approval of the acceptance and expenditure of grants.
02/28/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/29/2012.

120193 [Public Works Code - Mobile Food Truck Locations]
Sponsors: Wiener; Olague
Ordinance: 1) amending Public Works Code Section 184.85 to modify the permissible distance between mobile food facilities and school; and 2) adopting environmental findings.
02/28/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/29/2012.

Resolutions

120194 [Issuance of Tax-Exempt Revenue Obligation Bonds - The California School of Mechanical Arts (Lick-Wilmerding High School) - Not to Exceed $17,000,000]
Sponsor: Avalos
Resolution approving in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance of tax-exempt obligations by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $17,000,000 for the refinancing of various capital facilities owned by The California School of Mechanical Arts (Lick-Wilmerding High School).
02/28/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120195 [Changing the Street Name of Edinburg Street to Edinburgh Street]
Sponsor: Avalos
Resolution authorizing a street name change of Edinburg Street to Edinburgh Street, to correct a spelling discrepancy and eliminate confusion in the delivery of public services.
02/28/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

120196 [Accept and Expend Grant - Cayuga Playground and Clubhouse - $710,779]
Sponsor: Avalos
Resolution authorizing the Recreation and Parks Department to accept and expend an Urban Greening Grant in the amount of $710,779 for Cayuga Playground and Clubhouse funded by the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).
02/28/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

120197 [Accept and Expend Grant - Nurse Family Partnership - $650,123]
Sponsor: Cohen
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a Federal pass-through State grant in the amount of $650,123 from the California Department of Public Health to participate in a program entitled "Nurse Family Partnership" for the period of February 1, 2012, through June 30, 2012.
02/28/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120198 [Accept and Expend Grant - State Vocational Rehabilitation Services Program - $135,600]

Sponsor: Cohen

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a State grant in the amount of $135,600 from the Department of Rehabilitation to participate in a program entitled "State Vocational Rehabilitation Services Program" for the period of July 1, 2010, through June 30, 2013, waiving indirect costs.

02/28/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120199 [Contract Amendment - Stratus Technologies, Inc. - $3,486,580 and Extended Term]

Sponsor: Mayor

Resolution authorizing the Department of Emergency Management to enter into the Ninth Amendment of an Agreement between the City and County of San Francisco and Stratus Technologies, Inc., to increase the contract amount to $3,486,580 and extend the term of the Agreement through June 30, 2014.

(Fiscal Impact)

02/28/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120200 [Lease for Real Property - China Basin Ballpark Company, LLC. - Seawall Lot 337]

Sponsors: Mayor; Chiu, Kim and Elsbernd

Resolution approving Port Commission Lease No. L-14980 with China Basin Ballpark Company, LLC. (CBBC), for certain real property located at Seawall Lot 337 ("SWL 337"), including a license for certain areas of Pier 48 Shed A, Shed C, the Pier 48 Valley, and access to SWL 337 from surrounding public rights of way in the City and County of San Francisco for a term of five years.

02/28/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120201 [Equipment Lease - 2012 Finance Corporation Equipment Program - Revenue Bonds - Not to Exceed $10,500,000]

Sponsor: Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 18 (Series 2012A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $10,500,000; approving the form of the official statement and the distribution thereof in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

02/22/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120202 [Girl Scout Week - March 11-17, 2012]

Sponsors: Chu; Cohen, Olague and Avalos

Resolution commemorating the 100th anniversary of Girl Scouts and declaring March 11-17, 2012, as "Girl Scout Week" in the City and County of San Francisco.

120203 [Accept and Expend Grant - Infertility Prevention Project Training Program - $41,892]
Sponsor: Chu
Resolution authorizing the Department of Public Health to accept and expend retroactively a state grant in the amount of $41,892 from the California Family Health Council to participate in a program entitled "Infertility Prevention Project Training Program" for the period of January 1, 2012, through December 31, 2012.

120204 [San Francisco Gay Softball League Day - March 11, 2012]
Sponsors: Wiener; Campos
Resolution celebrating the 40th anniversary of the San Francisco Gay Softball League and proclaiming March 11, 2012, to be "San Francisco Gay Softball League Day" in the City and County of San Francisco.

120205 [Opposing Assembly Bill 1678 - Regarding Restrictions on Food Trucks' Proximity to Schools]
Sponsors: Wiener; Chiu, Olague and Campos
Resolution opposing Assembly Bill 1678, regarding restrictions on food trucks' proximity to schools.

120206 [Accept and Expend Grant - Chemoprophylaxis for HIV Prevention in Men Expansion - $20,614]
Sponsors: Wiener; Campos
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $20,614 from Family Health International, to participate in a program entitled "Chemoprophylaxis for HIV Prevention in Men Expansion" for the period of October 1, 2011, through May 31, 2012.

120207 [Accept and Expend Grant - Enhancing Pre-Exposure Prophylaxis in Community Setting - $21,262]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $21,262 from Public Health Foundation Enterprises, Inc., to participate in a program entitled "Enhancing Pre-Exposure Prophylaxis in Community Setting" for the period of October 1, 2011, through June 30, 2012.

120208 [Accept and Expend Grant - HIV Evaluation Activities with High Risk, Underserved Population in South Africa - $44,043]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $44,043 from the University of California San Francisco, to participate in a program entitled "HIV Evaluation Activities with High Risk, Underserved Population in South Africa" for the period of September 30, 2011, through September 29, 2012.

Requests for Hearing

120209 [Hearing - Foreclosure in California: A Crisis of Compliance]
Sponsors: Campos; Avalos, Olague and Cohen
Hearing on "Foreclosure in California: A Crisis of Compliance," a report commissioned by the San Francisco Office of the Assessor-Recorder.

02/28/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120210 [Hearing - Campaign Finance Reform Ordinance and its Enforcement by the Ethics Commission]
Sponsor: Campos
Hearing on the efficacy of the Campaign Finance Reform Ordinance and the Ethics Commission's enforcement of the law.

02/28/12; RECEIVED AND ASSIGNED to Rules Committee.

120211 [Hearing - Port's Long-Term Plans for Waterfront Development for Piers 30-32]
Sponsor: Farrell
Hearing on the Port's long-term plans for Piers 30-32 in light of the fact the City of San Francisco lost a $100,000,000 investment opportunity that would have rehabilitated the deteriorating piers, focusing on the Port's long-term plans for waterfront development, development opportunities and a vision for the Port's entire infrastructure.

02/28/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120212 [Hearing - Protocols for Addressing Trauma in School Aged Youth]
Sponsor: Olague
Hearing on collaborations between the San Francisco Police Department, San Francisco Unified School District, and Department of Public Health related to protocols developed to support low income, school age youth that experience repeat exposure to violence and trauma. Review of current programmatic strategies designed to address post traumatic stress in children, as well as a review of research from the Child Trauma Research Program.

02/28/12; RECEIVED AND ASSIGNED to Public Safety Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

120138 [Changing Official Sidewalk Width - Portions of Golden Gate Avenue, Polk Street, and Redwood Alley]

Ordinance: 1) amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks by adding thereto Section 1593 to change the official sidewalk width of, a) Golden Gate Avenue starting at the southwest corner of the intersection of Golden Gate Avenue and Polk Street and continuing west 104 feet, b) Polk Street starting at the southwest corner of the intersection of Golden Gate Avenue and Polk Street and continuing south for 78 feet, and c) Redwood Alley starting at the northwest corner of the intersection of Polk Street and Redwood Alley and continuing west for 173 feet; 2) making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and 3) requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

02/06/12; RECEIVED FROM DEPARTMENT.

02/28/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/22/2012.

120163 [Settlement of Lawsuit - Patricia Banks - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Patricia Banks against the City and County of San Francisco for $50,000; the lawsuit was filed on August 5, 2009, in San Francisco Superior Court, Case No. CGC-09-491089; entitled Patricia Banks, et al. v. City and County of San Francisco, et al. (City Attorney)

02/17/12; RECEIVED FROM DEPARTMENT.

02/28/12; RECEIVED AND ASSIGNED to Rules Committee.

120164 [Settlement of Lawsuit - Pacific States Environmental Contractors, Inc. - $425,000]

Ordinance authorizing settlement of the lawsuit filed by Pacific States Environmental Contractors, Inc., against the City and County of San Francisco for $425,000; the lawsuit was filed on November 20, 2009, in San Mateo County Superior Court and subsequently transferred to San Francisco County Superior Court, Case No. CGC-10-501403, entitled Pacific States Environmental Contractors, Inc. v. City and County of San Francisco, et al.; other material terms of the settlement are: 1) mutual releases except for latent defects, 2) dismissal of the complaint with prejudice, and 3) each side to bear its own attorneys fees and costs. (City Attorney)

02/17/12; RECEIVED FROM DEPARTMENT.

02/28/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

120139 [Airport Concession Lease - Hudson Group (HG) Retail, LLC]
Resolution approving the Terminal 3 News and Specialty Store Lease between Hudson Group (HG) Retail, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
(Fiscal Impact)

02/10/12; RECEIVED FROM DEPARTMENT.

02/28/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120140 [Real Property Lease - 2712 Mission Street - Annual Rent of $768,000]
Resolution authorizing a ten-year lease of 2712 Mission Street from Redwood Mortgage Investors VIII, A California Limited Partnership, for the Department of Public Health at an initial annual rent of $768,000. (Real Estate Department)

02/13/12; RECEIVED FROM DEPARTMENT.

02/28/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120141 [Permit of Northeast-Facing Wall Sign - Total Outdoor Corporation - 1650 Mission Street]
Resolution authorizing the execution of a permit to enter and use property for installation and maintenance of a northeast-facing wall sign at 1650 Mission Street by and between the City and County of San Francisco and Total Outdoor Corporation, a Delaware Corporation, permittee. (Real Estate Department)

02/13/12; RECEIVED FROM DEPARTMENT.

02/28/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120160 [Airport Concession Lease Amendment - Boarding Area B and C Books and News Store - Gateway Concessions, LLC]
Resolution Approving Amendment No. 1 to Boarding Area B and C Books and News Store Lease No. 04-0231 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
(Fiscal Impact)

02/14/12; RECEIVED FROM DEPARTMENT.

02/28/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120161 [Settlement of Claim - Sally Bowman - $70,000]
Resolution approving the settlement of the unlitigated claim filed by Sally Bowman against the City and County of San Francisco for $70,000; claim was filed on May 24, 2011. (City Attorney)

02/17/12; RECEIVED FROM DEPARTMENT.

02/28/12; RECEIVED AND ASSIGNED to Rules Committee.

120162 [Settlement of Unlitigated Claim - James Murray - $43,500]
Resolution approving the settlement of the unlitigated claim filed by James Murray against the City and County of San Francisco for $43,500; claim was filed on April 06, 2011. (City Attorney)

02/17/12; RECEIVED FROM DEPARTMENT.

02/28/12; RECEIVED AND ASSIGNED to Rules Committee.

Request Granted

From: Board President David Chiu
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation to improve POPOS through reforms such as better signage and maintenance.

In Memoriams

Richard Bak Chung Chen – Board President David Chiu
Dick Hodgson – Supervisor David Campos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:16 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 3, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, March 6, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim, Cohen, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Avalos, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

111381 [Liquor License Transfer - 1525 Mission Street]

Resolution determining that the premise to premise transfer of a Type 48 on-sale general public premises liquor license from 1525 Mission Street to 1525 Mission Street (District 6), for expansion of public occupancy into adjacent portion of the building, to Mark E. Rennie for ZFC Concepts, LLC, dba Sloane Square[d], will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 083-12

ADOPTED

120032 [Liquor License - 835 Hyde Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Euphoria Hospitality, Inc., for the Lobby Bar, located at 835 Hyde Street (The Nob Hill Hotel) (District 3), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 074-12

ADOPTED

120146 **[Accept and Expend Grant - San Francisco Health in All Policies: Transforming Places, Empowering People - $815,358]**
Sponsor: Mar
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $815,358 from the Centers for Disease Control and Prevention to participate in a program entitled "San Francisco Health in All Policies: Transforming Places, Empowering People" for the period of September 30, 2011, through September 29, 2012.

Resolution No. 077-12

ADOPTED

120147 **[Accept and Expend Grant - Viral Hepatitis Surveillance - $137,933]**
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $137,933 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "Viral Hepatitis Surveillance in the City and County of San Francisco" for the period of January 1, 2012, through October 31, 2012, and waiving indirect costs.

Resolution No. 078-12

ADOPTED

Recommendations of the Rules Committee

111079 **[Administrative Code - Additional Pre-Approval Notice for Certain City Projects]**
Sponsor: Farrell
Ordinance amending the San Francisco Administrative Code by adding Chapter 79A to expand upon the minimum notice requirements prior to approval of a City project that are mandated by the Citizens' Right-to-Know Act of 1998.

Ordinance No. 043-12

FINALLY PASSED

120135 **[Settlement of Unlitigated Claim - Kinuko Jorgensen - $26,226.57]**
Resolution approving the proposed settlement of the case of Kinuko Jorgensen vs. the City and County of San Francisco for $26,226.57, Unlitigated Claim No. 12-00302. (City Attorney)

Resolution No. 075-12

ADOPTED

120136 **[Settlement of Unlitigated Claim - Debra Reed - $37,500]**
Resolution approving the settlement of the unlitigated claim filed by Debra Reed vs. the City and County of San Francisco for $37,500; claim was filed on April 10, 2011. (City Attorney)

Resolution No. 076-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Public Safety Committee

111029 [Environment Code - Tenant Bicycle Parking in Existing Commercial Buildings]
Sponsors: Avalos; Kim, Mar, Campos, Olague and Chiu

Ordinance amending the San Francisco Environment Code, Section 400, and adding Section 402, to: 1) require the owners of existing commercial buildings to either provide secure bicycle parking in their buildings or allow their tenants to bring their bicycles into the building; 2) provide that the Ordinance's operative date is January 1, 2012, or 30 days from the effective date of the Ordinance, whichever is later; and 3) make environmental findings.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Noes: 2 - Chu, Elsbernd

Recommendations of the Rules Committee

111189 [Administrative Code - Right to Counsel in Civil Matters]
Sponsors: Chiu, Kim, Wiener, Olague, Farrell, Campos and Cohen

Ordinance amending the San Francisco Administrative Code by adding Article 58, Sections 58.1 through 58.3 to: 1) declare San Francisco to be a Right to Civil Counsel City; and 2) declare the intent of the Board of Supervisors to create a one-year San Francisco Right to Civil Counsel pilot program.

Ordinance No. 045-12

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Noes: 2 - Chu, Elsbernd

111277 [Campaign and Governmental Conduct Code - Certification of Supervisorial Candidates' Eligibility for Public Financing in 2012]
Sponsor: Cohen
Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 1.142 to delay the certification of 2012 supervisorial candidates seeking public financing until the Redistricting Task Force completes its revision of supervisorial district boundaries.

Ordinance No. 044-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120121 [Appointments, Small Business Commission - Monetta White and William Ortiz-Cartagena]
Motion appointing Monetta White and William Ortiz-Cartagena, terms ending January 6, 2016, to the Small Business Commission. (Clerk of the Board)

Motion No. M12-030

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120122 [Appropriating $3,448,350 Consisting of Fund Balance and Re-appropriating $1,800,000 to the Port Commission in FY2011-2012]
Sponsors: Mayor; Chiu
Ordinance appropriating $3,448,350 consisting of $3,448,350 in fund balance and re-appropriating $1,800,000 from 2010 Revenue Bond funded projects to the Port Commission in FY2011-2012 for the development of the Mixed-Use Cruise Terminal at Pier 27.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120141 [Permit of Northeast-Facing Wall Sign - Total Outdoor Corporation - 1650 Mission Street]
Resolution authorizing the execution of a permit to enter and use property for installation and maintenance of a northeast-facing wall sign at 1650 Mission Street by and between the City and County of San Francisco and Total Outdoor Corporation, a Delaware Corporation, permittee. (Real Estate Department)

Supervisor Olague, seconded by Supervisor Campos, moved that this Resolution be RE-REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

From the Budget and Finance Committee Without Recommendation

120120 [Appropriating $706,500 of Fund Balance to the Department of Public Works - Jefferson Street Streetscape Improvement - FY2011-2012]
Sponsors: Mayor; Chiu
Ordinance appropriating $706,500 consisting of $706,500 in fund balance to the Department of Public Works in FY2011-2012 for the design of Jefferson Street Streetscape Improvements. (Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Government Audit and Oversight Committee

120148 [Setting the 2012 Budget and Legislative Analyst Services Audit Plan]
Sponsor: Farrell
Motion directing the Budget and Legislative Analyst to conduct three performance audits in 2012 and setting the priority as follows: 1) the Department of Public Health's and Human Services Agency's management of professional services contracts; 2) City departments' management and oversight of the former San Francisco Redevelopment Agency's assets and functions; and 3) the Adult Probation and Sheriff's Departments' implementation of Public Safety Realignment.

Motion No. M12-031

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120149 [Setting the 2012 Budget and Legislative Analyst Services Work Plan]
Sponsor: Farrell
Motion approving the Budget and Legislative Analyst Services work plan for 2012, which: 1) allocates hours for calendar year 2012, 2) authorizes the Budget and Legislative Analyst to reallocate up to 10% of the hours between service categories based on Board of Supervisors service needs, and 3) requires Board of Supervisors approval of hours re-allocation greater than 10%; and establishes performance goals and sets a date for the 2012 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

Motion No. M12-032

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Land Use and Economic Development Committee

111315 [Planning Code - Automobile Sale or Rental in NC-S Districts]
Sponsor: Elsbernd
Ordinance amending the San Francisco Planning Code Section 713.61 to: 1) allow an automobile sale or rental use in NC-S Districts as a conditional use; and 2) make environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

WOMEN'S HISTORY MONTH 2012
Privilege of the floor was granted to Kay Gulbengay, President (Commission on the Status of Women) and Emily Murase, Executive Director (Department on the Status of Women) who spoke on Women's History Month and the individuals recognized.

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Women's History Month, their accomplishments, and their continued community support as referenced below:

Supervisor Avalos recognized Maritza DiCicco;
Supervisor Campos recognized Jene Rita Alviar;
Supervisor Chiu recognized Germaine Wong;
Supervisor Chu recognized Melissa Ma;
Supervisor Cohen recognized Dorris Vincent;
Supervisor Elsbernd recognized Olivia Scanlon;
Supervisor Farrell recognized Melissa Rich;
Supervisor Kim recognized Lolita Kintanar;
Supervisor Mar recognized Pamela Clisham;
Supervisor Olague recognized Sheila Harris-Young, Toni Young, and Nancy Sheftel-Gomes; and
Supervisor Wiener recognized Beth Spotswood, Catherine Bergstorm, and Kate Ryken (aka Phoenixes).

100TH ANNIVERSARY OF GIRL SCOUTS
Supervisor Chu introduced, welcomed, and presented a Certificate of Honor to Anastasia Wong of the Girl Scouts in recognition of the 100th Anniversary of Girl Scouts, their accomplishments, and continued community support.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Campos was noted absent at 2:44 p.m. and noted present at 3:01 p.m.
Supervisor Kim was noted absent at 2:45 p.m. and noted present at 3:20 p.m.
Supervisor Mar was noted absent at 2:47 p.m. and noted present at 3:04 p.m.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Emil Lawrence; expressed various concerns.
Douglas Yep; expressed various concerns.
Matt Cohen; spoke in support of the legislation opposing Assembly Bill 1678.
Bobby Tsing; spoke in support of the legislation opposing Assembly Bill 1678.
Male Speaker; spoke in support of the legislation opposing Assembly Bill 1678.
Julie New; spoke in support of the legislation opposing Assembly Bill 1678.
Hi Chen; spoke in support of the legislation opposing Assembly Bill 1678.
Female Speaker; spoke in support of the legislation opposing Assembly Bill 1678.
Eric Tai; spoke in support of the legislation opposing Assembly Bill 1678.
Tony Wolfe; expressed concerns relating to medical cannabis.
Fiona; expressed various concerns.
Doug Milar; expressed various concerns.
Peter Alexander; spoke regarding various corruption concerns.
Female Speaker; spoke regarding the Central Subway project.
Tim Bolcuma; spoke in support of the legislation opposing Assembly Bill 1678.
Joseph Fernandez; spoke in support of the legislation opposing Assembly Bill 1678.
Olivia Pill; spoke in support of the legislation opposing Assembly Bill 1678.
Female Speaker; spoke in support of the legislation opposing Assembly Bill 1678.
Ray Hartz; expressed concerns relating to government. (See additional information submitted on Page 147.)
Maureen Dunn; spoke regarding a dispute with her neighbor.
Carrie Kim; spoke in support of the legislation opposing Assembly Bill 1678.
Male Speaker; expressed various religious concerns.
Caroline Guibert; spoke in opposition to the landmark designation of the Gold Dust Lounge.

Supervisor Olague was noted absent at 2:53 p.m. and noted present at 3:12 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120202 **[Girl Scout Week - March 11-17, 2012]**
Sponsors: Chu; Cohen, Olague and Avalos
Resolution commemorating the 100th anniversary of Girl Scouts and declaring March 11-17, 2012, as "Girl Scout Week" in the City and County of San Francisco.

Resolution No. 072-12

ADOPTED

120203 [Accept and Expend Grant - Infertility Prevention Project Training Program - $41,892]
Sponsor: Chu
Resolution authorizing the Department of Public Health to accept and expend retroactively a state grant in the amount of $41,892 from the California Family Health Council to participate in a program entitled "Infertility Prevention Project Training Program" for the period of January 1, 2012, through December 31, 2012.

Resolution No. 079-12

ADOPTED

120204 [San Francisco Gay Softball League Day - March 11, 2012]
Sponsors: Wiener; Campos
Resolution celebrating the 40th anniversary of the San Francisco Gay Softball League and proclaiming March 11, 2012, to be "San Francisco Gay Softball League Day" in the City and County of San Francisco.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 073-12

ADOPTED

120206 [Accept and Expend Grant - Chemoprophylaxis for HIV Prevention in Men Expansion - $20,614]
Sponsors: Wiener; Campos
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $20,614 from Family Health International, to participate in a program entitled "Chemoprophylaxis for HIV Prevention in Men Expansion" for the period of October 1, 2011, through May 31, 2012.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 080-12

ADOPTED

120207 [Accept and Expend Grant - Enhancing Pre-Exposure Prophylaxis in Community Setting - $21,262]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $21,262 from Public Health Foundation Enterprises, Inc., to participate in a program entitled "Enhancing Pre-Exposure Prophylaxis in Community Setting" for the period of October 1, 2011, through June 30, 2012.

Resolution No. 081-12

ADOPTED

120208 [Accept and Expend Grant - HIV Evaluation Activities with High Risk, Underserved Population in South Africa - $44,043]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $44,043 from the University of California San Francisco, to participate in a program entitled "HIV Evaluation Activities with High Risk, Underserved Population in South Africa" for the period of September 30, 2011, through September 29, 2012.

Resolution No. 082-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Wiener requested that File No. 120205 be severed so that it may be considered separately.

120205 [Opposing Assembly Bill 1678 - Regarding Restrictions on Food Trucks' Proximity to Schools]

Sponsors: Wiener; Chiu, Olague and Campos

Resolution opposing Assembly Bill 1678, regarding restrictions on food trucks' proximity to schools.

Supervisor Campos requested to be added as a co-sponsor.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Wiener, seconded by Supervisor Mar, moved that this Resolution be CONTINUED AS AMENDED to March 13, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Charter Amendment

120219 [Charter Amendment - Replacing Ranked-Choice Voting for City-wide Offices with Run-Off Elections]
Sponsors: Farrell; Chu, Cohen, Elsbernd, Olague and Wiener
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 13.101, 13.101.5, 13.102, 13.107, and Article XVII and by adding Section 13.102.5 to replace ranked-choice voting for City-wide offices with run-off elections.
03/05/12; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/4/2012.

Ordinances

120220 [Planning Code - Signage Requirements for Privately-Owned Publicly-Accessible Open Spaces]
Sponsor: Chiu
Ordinance amending the San Francisco Planning Code by: 1) amending Sections 135(h)(4), 135.3(g), and 138(i) to impose additional signage requirements for privately-owned publicly-accessible open spaces; 2) amending Section 603(k) to make a conforming amendment; and 3) making environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and Planning Code Section 101.1.
03/06/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/4/2012.

120221 [Administrative Code - Extension of Public Utilities Revenue Bond Oversight Committee]
Sponsor: Farrell
Ordinance amending the San Francisco Administrative Code Section 5A.36 to extend the sunset date of the Public Utilities Revenue Bond Oversight Committee to January 1, 2018.
03/06/12; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/4/2012.

120222 [North Beach Branch Library - Environmental Findings and Bond Proceeds]
Sponsors: Mayor; Chiu and Chu
Ordinance adopting environmental findings with respect to the North Beach Branch Library and approving the expenditure on the North Beach Branch Library of bond proceeds of lease revenue bonds previously authorized and issued to finance various projects under the Branch Library Improvement Program, as further described herein; granting general authority to City officials to take certain actions in connection with the expenditure of bond proceeds; and ratifying previous actions taken in connection therewith.
(Fiscal Impact)
03/06/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120223 [Appropriating $6,259,742 of Fund Balance and General Obligation Bond Proceed Interest Earnings to the Public Library in FY2011-2012]
Sponsors: Mayor; Chiu and Chu
Ordinance appropriating $6,259,742 consisting of $5,778,742 in Library Preservation Fund unappropriated fund balance and $481,000 in interest earnings from the Branch Library Improvement Program (BLIP) General Obligation Bond proceeds to the Public Library in FY2011-2012 for the completion of remaining projects in the BLIP.

03/06/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Resolutions

120224 [Accept and Expend Grant - FY2011 Federal Emergency Management Agency Port Security Grant Program - $1,016,000]
Sponsor: Chiu
Resolution authorizing the San Francisco Police Department to retroactively accept and expend $1,016,000 of FY2011 Port Security Grant Program funds from the Federal Emergency Management Agency.

03/06/12; RECEIVED AND ASSIGNED to Public Safety Committee.

120225 [Accept and Expend Grant - Institute for Local Government - $40,615]
Sponsor: Cohen
Resolution authorizing the Adult Probation Department on behalf of the Reentry Council of San Francisco to retroactively accept and expend a grant in the amount of $40,615 from the Institute for Local Government, as a sub-recipient of a grant award made by the Rosenberg Foundation, for activities related to the implementation of the California Reentry Council Network.

03/06/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120226 [Accept and Expend Grant - Egg Quality Control Program - $3,883.76]
Sponsor: Cohen
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a State grant in the amount of $3,883.76 from the California Department of Food and Agriculture, to participate in a program entitled Egg Quality Control Program for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs.

03/06/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120227 [Resolution to Initiate the Designation of 301 Geary Street, Also Known as 247 Powell Street, The Gold Dust Lounge, as a Landmark]
Sponsor: Olague
Resolution initiating designation of real property at 301 Geary Street, also known as 247 Powell Street, The Gold Dust Lounge, Assessor's Block No. 0315, Lot No. 001, as a Landmark pursuant to San Francisco Planning Code Section 1004.1.

03/06/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120228 [Accept and Expend Grant - Boeddeker Park - $493,000]
Sponsors: Mayor; Kim
Resolution authorizing the Recreation and Parks Department to accept and expend an Urban Greening Grant in the amount of $493,000 for Boeddeker Park funded by the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

03/06/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120229 [Taxable and/or Tax-Exempt Certificates of Participation for Various Capital Improvements - Official Statement]
Sponsor: Mayor
Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the execution and delivery of City and County of San Francisco Certificates of Participation for Various Capital Improvements and authorizing the preparation, execution and delivery of a final official statement; ratifying the approvals and terms and conditions of a previous ordinance; and related matters.
(Fiscal Impact)

03/06/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120230 [Commending Our Kids First Day - March 17, 2012]
Sponsor: Avalos
Resolution commending Our Kids First for their dedication and support of San Francisco's children, particularly those in the Outer Mission neighborhood, and proclaiming March 17, 2012, to be "Our Kids First Day" in the City and County of San Francisco.

03/06/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120232 [Accept and Expend Grant - Accessibility Training and Improving Polling Place Accessibility - $20,000]
Sponsor: Farrell
Resolution authorizing the Department of Elections to accept and expend Help America Vote Act (HAVA) Section 261 funds in an amount not to exceed $20,000 for improving polling place accessibility in accordance with the California Secretary of State's Accessibility Training Program.

03/06/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120178 [2012 Annual Joint Fundraising Drive]
Resolution designating those agencies qualified to participate in the 2012 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

02/21/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

120231 [Closed Session - Update on Labor Negotiations]
Sponsor: Chiu
Motion that the Board of Supervisors convene in closed session on March 13, 2012, with the Mayor's Office and the Department of Human Resources pursuant to Section 67.10(e) of the San Francisco Administrative Code and Section 54957.6 of the California Government Code regarding negotiations with labor unions representing City employees.

03/06/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120233 [Closed Session - Update on Labor Negotiations]
Sponsor: Chiu
Hearing that the Board of Supervisors convene in closed session on March 13, 2012, with the Mayor's Office and the Department of Human Resources regarding negotiations with labor unions representing City employees.

This closed session is permitted by Government Code Section 54957.6 and the San Francisco Administrative Code Section 67.10(e).

03/06/12; ASSIGNED to Board of Supervisors.

120214 [Authorizing Preparation of Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the June 5, 2012, Consolidated Presidential Primary Municipal Election]
Motion authorizing preparation of written proponent and opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 5, 2012, Consolidated General Municipal Election. (Clerk of the Board)

03/06/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

120234 [Hearing - Promise Neighborhoods Planning Process]
Sponsor: Campos
Hearing on the Promise Neighborhoods planning process.

03/06/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

120235 [Hearing - San Francisco Unified School District's FY2012-2013 Budget]
Sponsor: Campos
Hearing on the San Francisco Unified School District's FY2012-2013 Budget.

03/06/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

120236 [Hearing - Rainy Day Funds - San Francisco Unified School District]
Sponsor: Campos
Hearing on the Rainy Day Funds from the City and County of San Francisco to the San Francisco Unified School District.

03/06/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCE

120187 [Settlement of Lawsuit - Airis v. CCSF, et al. - $7,500,000]
Ordinance authorizing settlement of the lawsuit filed by Airis SFO, LLC, Airis Holdings, LLC, and Duane Morris LLP ("Airis") against the City and County of San Francisco (the "City") for $7,500,000; the lawsuit was filed on July 15, 2005, in San Mateo Superior Court, Case No. 448274, entitled Airis SFO, LLC, et al. v. City and County of San Francisco, et al.; other material terms include a full and final release by Airis of all claims for attorneys' fees, costs, and post judgment interest. (City Attorney)

02/27/12; RECEIVED FROM DEPARTMENT.

03/06/12; RECEIVED AND ASSIGNED to Rules Committee.

In Memoriams

Supervisor Hal Brown - Entire Board
Margaret "Peggy" McCarthy - Supervisor Mar
Ronnie Montrose - Supervisor Wiener
Mary Howard - Supervisor Cohen

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:02 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 10, 2012.

Angela Calvillo, Clerk of the Board

Addendum

The following information is provided by a speaker, pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information durlng Public Comment as follows: I commented before this Board of Supervisors two weeks ago regarding the Park Merced "fiasco" and used the term "racist." I was NOT being bombastic or exaggerating for effect. If you look at the 8000 people of Park Merced whose lives are being demolished, along with their homes, it seems as if the effort was intended to impact every possible protected class, under State and Federal law, that could be listed. Women? Check! People of color? Check! Seniors? Check! The disabled? Check! Veterans? Check! And the list goes on… And when a few of those people dared to challenge this Board of Supervisors by taking them before the Sunshine Ordinance Task Force and won the cases, what did this Board choose to do? It chose to mount a stealth attack, in a truly cowardly fashion, on the Sunshine Ordinance itself! Again, not for effect, this was a truly cowardly act!

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, March 13, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim, Cohen, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Avalos, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.

AGENDA CHANGES

There were none.

Supervisor Kim was noted present at 2:06 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of January 31, 2012, and February 7, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

120177 [Formal Policy Discussions - March 13, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 3, 5, 9, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor, in November 2007, the voters of San Francisco passed Proposition I, which created the Office of Small Business to support small businesses, among other things, in complying with the laws and regulations administered by the 14 City departments that impact small business. As drafted by the Small Business Commission, Prop I specifically stated that within four months of the Office's opening, the Office "shall issue a report that analyzes the existing laws, regulations, roles, procedures and responsibilities of all City departments that impact small businesses and make recommendations regarding the streamlining and consolidation of such departmental functions under the Office of Small Business."

However, as of today, four years later, the Office has not issued that report, nor made any such recommendations, and the executive branch has not yet engaged in efforts to streamline or consolidate the functions of the 14 different City departments from which 80,000 small businesses must seek approvals to do business in San Francisco.

Mr. Mayor, will you commit to carrying out the mandates of Proposition I to streamline City government to help small businesses, and will you commit to delivering a report within the next four months with recommendations that you will act on? (Supervisor Chiu, District 3)

2. With the dissolution of the San Francisco Redevelopment Agency on February 1, 2012, and the new formation of the Redevelopment Successor Agency Oversight Board, what are your plans to ensure that community voices will be heard through the Community Advisory Committees in a meaningful way, despite the lack of staffing and shortage of resources? (Supervisor Olague, District 5)

3. There have been news articles claiming that you plan to attach strings to the release of any rainy day funds to the San Francisco Unified School District (SFUSD). Specifically, the articles claim that you will not release funds that will help SFUSD avoid teacher lay-offs unless the district sells off its surplus property. Whether selling surplus property is a good way of budgeting is an open question. Those of us who have supported the rainy day fund are concerned that these comments, if true, are inconsistent with the letter and spirit of the rainy day fund, which already outlines how the funds are supposed to be distributed. Can you please explain your position, and what would you say to the thousands of parents who may be concerned about what has been reported? (Supervisor Campos, District 9)

4. Although District 11 has some great parks and we are adjacent to San Francisco's second largest park - McLaren, our streets lack the robust urban forest that other districts benefit from. I have worked closely with the Department of Public Works and Friends of the Urban Forest to increase our district's green space and green canopy, however, there is much more we can do. Given that we just celebrated the 140th Anniversary of Arbor Day in District 11 this past weekend, I would like to know what the City's intention is towards completing the Alemany Street Greening Project. Currently, the median has only been greened from Lyell to Niagara. Does the City have plans to green the remainder of Alemany from Niagara to the Daly City border? And if so, what is the timeline for this plan? (Supervisor John Avalos, District 11)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

120122 [Appropriating $3,448,350 Consisting of Fund Balance and Re-appropriating $1,800,000 to the Port Commission in FY2011-2012]
Sponsors: Mayor; Chiu
Ordinance appropriating $3,448,350 consisting of $3,448,350 in fund balance and re-appropriating $1,800,000 from 2010 Revenue Bond funded projects to the Port Commission in FY2011-2012 for the development of the Mixed-Use Cruise Terminal at Pier 27.
(Fiscal Impact)

Ordinance No. 049-12

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

111315 [Planning Code - Automobile Sale or Rental in NC-S Districts]
Sponsor: Elsbernd
Ordinance amending the San Francisco Planning Code Section 713.61 to: 1) allow an automobile sale or rental use in NC-S Districts as a conditional use; and 2) make environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 047-12

FINALLY PASSED

Recommendation of the Public Safety Committee

120143 [Approval of the Youth Violence Prevention Initiative: Local Action Plan - 2012 Update]
Sponsors: Avalos; Mar
Resolution approving the San Francisco Juvenile Justice Coordinating Council's Youth Violence Prevention Initiative: Local Action Plan - 2012 Update.

Resolution No. 088-12

ADOPTED

Recommendations of the Rules Committee

111179 [Appointment, Public Utilities Revenue Bond Oversight Committee - Karen Donovan]

Motion appointing Karen Donovan, term ending November 12, 2015, to the Public Utilities Revenue Bond Oversight Committee. (Clerk of the Board)
Karen Donovan, seat 1, succeeding Brian Browne, term expired, must have expertise, skills and experience in economics, the environment, construction or project management, for a four-year term ending November 12, 2015.

Motion No. M12-033

APPROVED

120066 [Appointment, Citizen's Advisory Committee for the Central Market Street and Tenderloin Area - Daniel Hlad]

Motion appointing Daniel Hlad, term to be determined, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. (Clerk of the Board)
Daniel Hlad, seat 8, succeeding LJ Cirillo, resigned, must have expertise on homelessness, transitional age youth, or supportive housing and familiarity with the Central Market Street and Tenderloin Area or in District 6, bounded on the southern side by 13th Street and Townsend Street bounded, for a term to be determined.

Motion No. M12-034

APPROVED

120173 [Appointment, Immigrant Rights Commission - Bill Ong Hing]

Motion appointing Bill Ong Hing, term ending June 6, 2014, to the Immigrant Rights Commission. (Clerk of the Board)
Bill Ong Hing, seat 3, succeeding Samer Danfoura, resigned, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2014.

Motion No. M12-035

APPROVED

120174 [Appointments, SRO Task Force - Joshua Vining and Pratibha Tekkey]

Motion appointing Joshua Vining and Pratibha Tekkey, terms ending December 31, 2012, to the SRO Task Force, residency requirement waived. (Clerk of the Board)
Joshua Vining, seat 5 (residency requirement waived), succeeding Jorge Portillo, resigned, must be a representative of the Mission SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.
Pratibha Tekkey, seat 6 (residency requirement waived), succeeding Jeffrey Buckley, resigned, must be a representative of the Central City SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.

Motion No. M12-036

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Committee Without Recommendation

120120 [Appropriating $706,500 of Fund Balance to the Department of Public Works - Jefferson Street Streetscape Improvement - FY2011-2012]
Sponsors: Mayor; Chiu
Ordinance appropriating $706,500 consisting of $706,500 in fund balance to the Department of Public Works in FY2011-2012 for the design of Jefferson Street Streetscape Improvements. (Fiscal Impact)

Ordinance No. 048-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Public Safety Committee

111029 [Environment Code - Tenant Bicycle Parking in Existing Commercial Buildings]
Sponsors: Avalos; Kim, Mar, Campos, Olague and Chiu
Ordinance amending the San Francisco Environment Code, Section 400, and adding Section 402, to: 1) require the owners of existing commercial buildings to either provide secure bicycle parking in their buildings or allow their tenants to bring their bicycles into the building; 2) provide that the Ordinance's operative date is January 1, 2012, or 30 days from the effective date of the Ordinance, whichever is later; and 3) make environmental findings.

Ordinance No. 046-12

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Noes: 2 - Chu, Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120190 [Accept and Expend Grant - 2011 Homeland Security Grant Program and Amendment to Annual Salary Ordinance - $1,434,644]
Sponsor: Mayor
Ordinance authorizing the Department of Emergency Management to retroactively accept and expend a FY2011 Homeland Security Grant Program grant in the amount of $1,434,644 from the United States Department of Homeland Security, through the California Emergency Management Agency, for building and sustaining preparedness capabilities; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012 and FY2012-2013) to provide for the creation of one (1) grant-funded 0931 Manager III position (1 FTE) in the Department of Emergency Management.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120139 [Airport Concession Lease - Hudson Group (HG) Retail, LLC]
Resolution approving the Terminal 3 News and Specialty Store Lease between Hudson Group (HG) Retail, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
(Fiscal Impact)

Resolution No. 086-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120140 [Real Property Lease - 2712 Mission Street - Annual Rent of $768,000]
Resolution authorizing a ten-year lease of 2712 Mission Street from Redwood Mortgage Investors VIII, A California Limited Partnership, for the Department of Public Health at an initial annual rent of $768,000. (Real Estate Department)

Resolution No. 087-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120144 [Accept and Expend Grant - Wolfe Lane Community Garden Plot Terraces Rebuild - $116,000]
Sponsor: Campos
Resolution authorizing the Department of Recreation and Park to retroactively accept and expend a grant valued at $116,000 from the San Francisco Conservation Corps to rebuild community garden plot terraces at Wolfe Lane Community Garden.

Resolution No. 089-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120145 [Accept and Expend Grant - Teen Center Learning Lab at Main Library and Citywide Framework - $99,680]

Sponsor: Kim

Resolution authorizing the Department of Public Library to retroactively accept and expend a grant in the amount of $99,680 from the Institute of Museum and Library Services for a planning process, in partnership with the Bay Area Video Coalition, the California Academy of Sciences, and KQED to achieve two primary goals to: 1) develop a vision, program design, and test a Teen Center Learning Lab at the Main Library; and 2) develop a citywide framework for incorporating content-based curriculum in a shared online platform, with the help of a broad consortium of youth service providers and a team of youth leaders across the City.

Resolution No. 090-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120160 [Airport Concession Lease Amendment - Boarding Area B and C Books and News Store - Gateway Concessions, LLC]

Resolution retroactively approving Amendment No. 1 to Boarding Area B and C Books and News Store Lease No. 04-0231 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) (Fiscal Impact)

Resolution No. 091-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120194 [Issuance of Tax-Exempt Revenue Obligation Bonds - The California School of Mechanical Arts (Lick-Wilmerding High School) - Not to Exceed $17,000,000]

Sponsor: Avalos

Resolution approving in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance of tax-exempt obligations by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $17,000,000 for the refinancing of various capital facilities owned by The California School of Mechanical Arts (Lick-Wilmerding High School).

Resolution No. 092-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120200 [Lease for Real Property - China Basin Ballpark Company, LLC. - Seawall Lot 337]

Sponsors: Mayor; Chiu, Kim and Elsbernd

Resolution approving Port Commission Lease No. L-14980 with China Basin Ballpark Company, LLC. (CBBC), for certain real property located at Seawall Lot 337 ("SWL 337"), including a license for certain areas of Pier 48 Shed A, Shed C, the Pier 48 Valley, and access to SWL 337 from surrounding public rights of way in the City and County of San Francisco for a term of five years. (Fiscal Impact)

Resolution No. 085-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Public Safety Committee

120046 [Administrative Code - Establish Policy Regarding Participation in Federal Counterterrorism Activities]

Sponsors: Kim; Avalos, Campos, Chiu, Olague and Mar

Ordinance amending the San Francisco Administrative Code by adding Section 2A.84 to: 1) set City policy regarding participation in federal counterterrorism activities; 2) set parameters for Police Department participation in the activities of the Federal Bureau of Investigation's Joint Terrorism Task Force and other counterterrorism activities; 3) urge the Chief of Police to amend or terminate the current agreement between the Police Department and the Federal Bureau of Investigation regarding the Joint Terrorism Task Force; and 4) urge the Police Commission to direct the Chief to amend or terminate that agreement.

Supervisor Kim, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Ordinance amending the San Francisco Administrative Code by adding Section 2A.84 to: 1) set City policy regarding participation in Federal counterterrorism activities; and 2) set parameters for Police Department participation in the activities of the Federal Bureau of Investigation's Joint Terrorism Task Force and other counterterrorism activities.
NOTE: This action requires a two-thirds vote pursuant to Charter Section 2.106. The Board may not amend the ordinance and may only veto in favor or in opposition to veto override. The Mayor's veto was received on April 10, 2012. Therefore, the Board of Supervisors will lose the ability to override unless it votes on the veto override on or before May 10, 2012.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Olague
Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

110983 [Employment Policies and Procedures Regarding Criminal History]

Resolution authorizing the City and County of San Francisco to access state and federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation. (Human Resources Department)

Resolution No. 084-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Rules Committee

120044 [Administrative Code - Reporting Responsibilities Relating to the Centralized and Publicly Accessible Online Database of Appointments to Advisory Bodies]
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code Sections 1.57-2 through 1.57-5, to clarify the reporting responsibilities relating to the centralized and publicly accessible online database of information concerning appointments to City and County of San Francisco advisory bodies.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Kim was noted absent at 3:10 p.m. and present at 3:20 p.m.

Supervisor Olague Excused from Voting

Supervisor Campos, seconded by Supervisor Farrell, moved that Supervisor Olague be excused from voting on File No. 120175. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener
Excused: 1 - Olague
Absent: 1 - Kim

120175 [Appointment, San Francisco LAFCo - Supervisor Christina Olague]
Motion appointing Supervisor Christina Olague, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

Motion No. M12-037

APPROVED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener
Excused: 1 - Olague
Absent: 1 - Kim

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

COMMITTEE REPORT

120141 [Permit of Northeast-Facing Wall Sign - Total Outdoor Corporation - 1650 Mission Street]
Resolution authorizing the execution of a permit to enter and use property for installation and maintenance of a northeast-facing wall sign at 1650 Mission Street by and between the City and County of San Francisco and Total Outdoor Corporation, a Delaware Corporation, permittee. (Real Estate Department)

This item was not sent as a Committee Report.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Peter Warfield; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Catherine Hill; shared in song certain concerns with the Board.
Male Speaker; expressed various religious concerns.
Stefano Castellato; spoke on various concerns.

Supervisor Wiener was noted absent at 3:24 p.m. and present at 3:39 p.m.
Supervisor Chu was noted absent at 3:34 p.m. and present at 3:39 p.m.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

120233 [Closed Session - Update on Labor Negotiations]
Sponsor: Chiu
Hearing that the Board of Supervisors convene in closed session on March 13, 2012, with the Mayor's Office and the Department of Human Resources regarding negotiations with labor unions representing City employees.

This closed session is permitted by Government Code Section 54957.6 and the San Francisco Administrative Code Section 67.10(e).

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session, pursuant to File No. 120231. There were no speakers. The President declared public comment closed.

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 3:50 p.m. to convene in closed session pursuant to File No. 120231 (Motion No. M12-038). The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Persons in attendance:
Cheryl Adams, Deputy City Attorney
Monique Zmuda, Deputy Controller
Martin Gran, Director of Employee Relations
Micki Callahan, Director of Department of Human Resources
Kate Howard, Director, Mayor's Office of Public Policy and Finance
Angela Calvillo, Clerk of the Board
Alisa Miller, Office of the Clerk of the Board

Matter was HEARD in Closed Session and FILED.

RECONVENING OF THE BOARD

The Board at the hour of 4:36 p.m. reconvened. The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Farrell, seconded by Supervisor Avalos, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120230 [Commending Our Kids First Day - March 17, 2012]
Sponsor: Avalos
Resolution commending Our Kids First for their dedication and support of San Francisco's children, particularly those in the Outer Mission neighborhood, and proclaiming March 17, 2012, to be "Our Kids First Day" in the City and County of San Francisco.

Resolution No. 093-12

ADOPTED

120231 [Closed Session - Update on Labor Negotiations]
Sponsor: Chiu
Motion that the Board of Supervisors convene in closed session on March 13, 2012, with the Mayor's Office and the Department of Human Resources pursuant to Section 67.10(e) of the San Francisco Administrative Code and Section 54957.6 of the California Government Code regarding negotiations with labor unions representing City employees.

Motion No. M12-038

APPROVED

120232 [Accept and Expend Grant - Accessibility Training and Improving Polling Place Accessibility - $20,000]

Sponsor: Farrell

Resolution authorizing the Department of Elections to accept and expend Help America Vote Act (HAVA) Section 261 funds in an amount not to exceed $20,000 for improving polling place accessibility in accordance with the California Secretary of State's Accessibility Training Program.

Resolution No. 094-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Wiener requested that File No. 120205 be severed so that it may be considered separately.

120205 [Opposing Assembly Bill 1678 - Regarding Restrictions on Food Trucks' Proximity to Schools]

Sponsors: Wiener; Chiu, Olague and Campos

Resolution opposing Assembly Bill 1678, regarding restrictions on food trucks' proximity to schools.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Elsbernd requested that File No. 120214 be severed so that it may be considered separately.

120214 [Authorizing Preparation of Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the June 5, 2012, Consolidated Presidential Primary Municipal Election]

Motion authorizing preparation of written proponent and opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 5, 2012, Consolidated General Municipal Election. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Motion be AMENDED by authorizing Supervisors Wiener and Elsbernd to prepare opponent ballot arguments and rebuttal ballot arguments for Garbage Collection and Disposal and Coit Tower, respectively. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Motion authorizing preparation of written opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 5, 2012, Consolidated Presidential Primary Municipal Election. (Clerk of the Board)

Motion No. M12-039

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

120241 [Planning Code, Zoning Map - Establishing Three Outer Sunset Neighborhood Commercial Districts]
Sponsor: Chu
Ordinance amending the San Francisco Planning Code by: 1) adding Section 739.1 to establish the Outer Sunset Commercial Cluster 1 Neighborhood Commercial District that includes currently zoned NC-2 Noriega Street from 19th through 27th and 30th through 33rd Avenues; 2) adding Section 740.1 to establish the Outer Sunset Commercial Cluster 2 Neighborhood Commercial District that includes currently zoned NC-1 Taraval Street from 40th through 41st Avenues and from 45th through 47th Avenues, Noriega Street from 38th through 39th and 44th through 47th Avenues, Judah Street from 27th through 29th, 38th through 40th, and 44th through 47th Avenues, and Irving Street from 40th through 41st and 45th through 46th Avenues; 3) adding Section 741.1 to establish the Outer Sunset Linear Streets Neighborhood Commercial District that includes currently zoned NC-2 Taraval Street from 19th through 36th Avenues, Judah Street from 29th through 33rd Avenues, and Irving Street from 19th through 27th Avenues; 4) amending Section 724.124 (trade shops) to allow catering, remove horsepower limitations, and allow wholesaling, manufacturing and processing as an accessory use for up to two-thirds of the gross floor area; 5) amending Zoning Map Sheet ZN05 to include the new Neighborhood Commercial Districts; and 6) making environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

03/13/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/12/2012.

120242 [Appropriating $46,935,000 of 2012 Series A Refunding Revenue Bonds, and De-Appropriating $2,431,363 for the Municipal Transportation Agency in FY2011-2012]
Sponsors: Mayor; Chu
Ordinance appropriating $46,935,000 of the 2012 Series A Parking Garage Refunding, and de-appropriating $2,431,363 in existing debt service reserve funds, for the Municipal Transportation Agency in FY2011-2012 for parking meter and parking garage refunding, and placing these funds on Controller's Reserve pending the sale of the bonds.
(Fiscal Impact)

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120243 [Appropriating $28,300,000 of 2012 Series B Revenue Bonds for Transit Projects and Parking Garage Projects, for the Municipal Transportation Agency in FY2011-2012]

Sponsors: Mayor; Chu

Ordinance appropriating $28,300,000 of the 2012 Series B Revenue Bonds for Transit Projects and for Parking Garage Projects proceeds to the Municipal Transportation Agency in FY2011-2012 for improvements to transit access, reliability, communication, and capital improvements to parking garages, and placing these funds on Controller's Reserve pending the sale of the bonds.

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120192 [Administrative Code - Board Approval of Grants Over $100,000]

Sponsor: Wiener

Ordinance amending the San Francisco Administrative Code Section 10.170-1 to set a threshold of $100,000 or more for Board of Supervisors approval of the acceptance and expenditure of grants.

02/28/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/29/2012.

03/06/12; REFERRED TO DEPARTMENT.

03/13/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

111082 [Campaign and Governmental Conduct and Municipal Elections Codes - Amending Public Financing Program]

Sponsors: Kim; Campos, Mar and Avalos

Ordinance amending the Campaign and Governmental Conduct Code and the Municipal Elections Code to modify funding of the City's public financing program, to increase expenditure ceilings for supervisorial candidates, to delay the date on which public funds may be disbursed, to change the qualification requirements for participating candidates, and to advance the date by which all local candidates must file their nomination papers.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/3/2011.

10/12/11; REFERRED TO DEPARTMENT.

01/24/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

01/31/12; REFERRED TO DEPARTMENT.

02/09/12; TRANSFERRED to Rules Committee.

02/28/12; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

02/28/12; RE-REFERRED AS AMENDED to Rules Committee.

03/06/12; REFERRED TO DEPARTMENT.

03/13/12; SUBSTITUTED AND ASSIGNED to Rules Committee.

Resolutions

120244 [Multifamily Housing Revenue Bonds - 1180 Fourth Street Family Housing]
Sponsor: Kim
Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $48,155,000 for the purpose of providing financing for the acquisition and construction of a 150-unit multifamily rental housing project known as 1180 Fourth Street Family Housing; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

03/13/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120245 [Contract Amendment - Netsmart New York, Inc. - Not to Exceed $31,786,819]
Sponsor: Mayor
Resolution authorizing the Department of Public Health to execute a contract amendment with Netsmart New York, Inc., to acquire product enhancements and extend the initial term of the agreement for an amended term of August 1, 2008, through June 30, 2018.
(Fiscal Impact)

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120246 [Master License Agreement - Photovoltaic Power Projects]
Sponsors: Wiener; Mar
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to enter into a long term Master License Agreement for the installation of photovoltaic power projects on San Francisco Unified School District buildings, pursuant to San Francisco Charter Section 9.118.

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120247 [Accept and Expend Grant - Evaluating the Impact on Student Nutrition and National Food Programs of Eliminating Competitive Meals in Schools - $49,090]
Sponsor: Olague
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $49,090 from the Robert Wood Johnson Foundation to participate in a program entitled "Evaluating the Impact on Student Nutrition and National Food Programs of Eliminating Competitive Meals in Schools" for the period of November 1, 2011, through October 31, 2012.

120248 [Accept and Expend Grant - Juvenile Detention Reform - $34,603]
Sponsor: Olague
Resolution authorizing the Department of Juvenile Probation to retroactively accept and expend a grant in the amount of $34,603 from the Annie E. Casey Foundation for continuing support of the juvenile justice reform activities at the Juvenile Probation Department.

Requests for Hearing

120249 [Hearing - Business Tax Reform]
Sponsors: Avalos; Chiu
Hearing on the Controller's Office of Economic Analysis Research and results on options for Business Tax Reform in San Francisco.

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120250 [Hearing - Controller's 6-Month Overtime Report for FY2011-2012]
Sponsor: Campos
Hearing on the Controller's 6-Month Overtime Report for FY2011-2012 including on why the Municipal Transportation Agency, Fire, Police, Public Health, and Sheriff's Departments are greatly exceeding their budgeted overtime including whether insufficient staffing or other staffing issues are primary causes, and a discussion on whether hiring sufficient, permanent, and skilled staff is a smarter policy than spending millions of dollars on overtime.

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120251 [Hearing - City Departments Projected Overtime Costs]
Sponsor: Chu
Hearing on the status of current and projected overtime costs for City departments.

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120252 [Hearing - City's Response to Americans with Disabilities Act Based Lawsuits]
Sponsor: Mar
Hearing on the City's response to Americans with Disabilities Act based lawsuits brought against small businesses.

03/13/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

120181 [Settlement of Lawsuit - Christine Peterson - $34,000]
Ordinance authorizing settlement of the lawsuit filed by Christine Peterson against the City and County of San Francisco for $34,000; the lawsuit was filed on November 25, 2009, in San Francisco Superior Court, Case No. CGC-09-494798 (Consolidated with Case No. CGC-10-500217); entitled Christine Peterson, et al. v. City and County of San Francisco, et al. (City Attorney)

02/29/12; RECEIVED FROM DEPARTMENT.

03/13/12; RECEIVED AND ASSIGNED to Rules Committee.

120182 [Settlement of Lawsuit - Wilma Espinosa - $275,000]
Ordinance authorizing settlement of the lawsuit filed by Wilma Espinosa against the City and County of San Francisco for $275,000; the lawsuit was filed on March 9, 2011, in San Francisco Superior Court, Case No. CGC-11-508999; entitled Wilma Espinosa, et al. v. City and County of San Francisco, et al. (City Attorney)

03/05/12; RECEIVED FROM DEPARTMENT.

03/13/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

120178 [2012 Annual Joint Fundraising Drive]
Resolution designating those agencies qualified to participate in the 2012 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

02/21/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisor Elsbernd
To: Superintendant, San Francisco Unified School District
Requesting/Inquiring: Supervisor Elsbernd inquires what the financial impact will be on the budget of the San Francisco Unified School District (SFUSD) should the Board of the California Public Employees' Retirement System (CalPERS) reduce anticipated annual investment return from 7.75% to 7.5%?

In Memoriams

Dora Shinn Piamonte - Supervisor Campos
Jake "The Bulldog Mayor of Haight Street" Wilson – Supervisors Olague & Campos

ADJOURNMENT

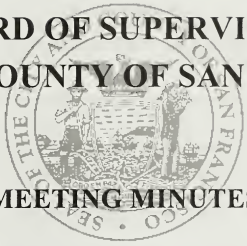
There being no further business, the Board adjourned at the hour of 4:38 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 17, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

AUG 15 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, March 20, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim, Cohen, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Avalos, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Members Present: John Avalos, David Campos, David Chiu, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, and Christina Olague

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisors Chu, Cohen, and Wiener were noted absent. There was a quorum.

Supervisors Chu, Cohen, and Wiener Excused from Voting

Supervisor Elsbernd, seconded by Supervisor Campos, moved that Supervisors Chu, Cohen, and Wiener be excused from voting. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of February 14, 2012. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

120190 [Accept and Expend Grant - 2011 Homeland Security Grant Program and Amendment to Annual Salary Ordinance - $1,434,644]
Sponsor: Mayor
Ordinance authorizing the Department of Emergency Management to retroactively accept and expend a FY2011 Homeland Security Grant Program grant in the amount of $1,434,644 from the United States Department of Homeland Security, through the California Emergency Management Agency, for building and sustaining preparedness capabilities; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012 and FY2012-2013) to provide for the creation of one (1) grant-funded 0931 Manager III position (1 FTE) in the Department of Emergency Management.

Ordinance No. 051-12

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

120165 [Liquor License - 1749 Union Street]
Resolution determining that the issuance of a Type 20 off-sale beer and wine license to 1749 Union Street (District 2), to Lorrie Hoel for Wine's About You, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 097-12

ADOPTED

120166 [Liquor License Transfer - 351 California Street]
Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 2339-3rd Street to 351 California Street (District 3), to LandMark Retail Group for CVS Pharmacy, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 098-12

ADOPTED

Recommendation of the Rules Committee

120044 [Administrative Code - Reporting Responsibilities Relating to the Centralized and Publicly Accessible Online Database of Appointments to Advisory Bodies]
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code Sections 1.57-2 through 1.57-5, to clarify the reporting responsibilities relating to the centralized and publicly accessible online database of information concerning appointments to City and County of San Francisco advisory bodies.

Ordinance No. 050-12

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Public Safety Committee

120046 [Administrative Code - Establish Policy Regarding Participation in Federal Counterterrorism Activities]
Sponsors: Kim; Avalos, Campos, Chiu, Olague and Mar
Ordinance amending the San Francisco Administrative Code by adding Section 2A.84 to: 1) set City policy regarding participation in Federal counterterrorism activities; and 2) set parameters for Police Department participation in the activities of the Federal Bureau of Investigation's Joint Terrorism Task Force and other counterterrorism activities.
NOTE: This action requires a two-thirds vote pursuant to Charter Section 2.106. The Board may not amend the ordinance and may only veto in favor or in opposition to veto override. The Mayor's veto was received on April 10, 2012. Therefore, the Board of Supervisors will lose the ability to override unless it votes on the veto override on or before May 10, 2012.

Supervisor Kim, seconded by Supervisor Olague, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to March 27, 2012. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120049 [Appropriating $1,000,000 for the Small Business Revolving Loan Fund Program - Office of Economic and Workforce Development]
Sponsors: Mayor; Chiu, Wiener, Olague, Farrell, Kim and Cohen
Ordinance appropriating $1,000,000 of General Fund prior year fund balance for the Small Business Revolving Loan Fund Program in the Office of Economic and Workforce Development for FY2011-2012 and placing $500,000 on Budget and Finance Committee Reserve pending an update on the program.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

120197 [Accept and Expend Grant - Nurse Family Partnership - $650,123]
Sponsor: Cohen
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a Federal pass-through State grant in the amount of $650,123 from the California Department of Public Health to participate in a program entitled "Nurse Family Partnership" for the period of February 1, 2012, through June 30, 2012.

Resolution No. 099-12

ADOPTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

120198 [Accept and Expend Grant - State Vocational Rehabilitation Services Program - $135,600]
Sponsor: Cohen
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a State grant in the amount of $135,600 from the Department of Rehabilitation to participate in a program entitled "State Vocational Rehabilitation Services Program" for the period of July 1, 2010, through June 30, 2013, waiving indirect costs.

Resolution No. 100-12

ADOPTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

120199 [Contract Amendment - Stratus Technologies, Inc. - $3,486,580 and Extended Term]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Emergency Management to enter into the Ninth Amendment of an Agreement between the City and County of San Francisco and Stratus Technologies, Inc., to increase the contract amount to $3,486,580 and extend the term of the Agreement through June 30, 2014.
(Fiscal Impact)

Resolution No. 101-12

ADOPTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

120196 [Accept and Expend Grant - Cayuga Playground and Clubhouse - $710,779]

Sponsor: Avalos

Resolution authorizing the Recreation and Parks Department to retroactively accept and expend an Urban Greening grant in the amount of $710,779 for Cayuga Playground and Clubhouse funded by the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

Resolution No. 095-12

ADOPTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

Recommendation of the Land Use and Economic Development Committee

120075 [Street Encroachment - Bus Stop Signs - Golden Gate Transit Bus Routes]

Sponsor: Elsbernd

Resolution: 1) granting revocable permission to Golden Gate Bridge Highway and Transportation District (Golden Gate Transit) to occupy portions of the public right-of-way to replace existing bus stop signs and install and maintain new bus stop signs at various locations along existing Golden Gate Transit bus routes; and 2) making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Supervisor Elsbernd requested to be added as sponsor.

Resolution No. 096-12

ADOPTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

The Board recessed at the hour of 2:57 p.m. The Board reconvened at the hour of 4:00 p.m. The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Elsbernd, Farrell, Olague. Supervisor Kim was noted present at 4:01 p.m.

SPECIAL ORDER 4:00 P.M.

120183 [Public Hearing - Conditional Use Appeal - 1111 California Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission's January 19, 2012, approval of a Conditional Use Authorization identified as Planning Case No. 2011.0471C, by its Motion No. 18520, pursuant to Planning Code Sections 185(e) and 303, to continue the existing non-conforming assembly and entertainment uses of the "Nob Hill Masonic Center", and to continue the existing food and beverage service uses within the center, on a property within the RM-4 (Residential Mixed, Medium Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, located at 1111 California Street, Assessor's Block No. 0253, Lot No. 020. (District 3) (Appellants: Stephen Gomez on behalf of the Nob Hill Coalition, James Wall on behalf of the Nob Hill Association, William Terrell, Elizabeth Pomada, Donna Muse, and Aldo Caccamo) (Filed February 21, 2012).

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance. There were no speakers.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to March 27, 2012. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Olague
Excused: 3 - Chu, Cohen, Wiener
Absent: 1 - Mar

The President CONTINUED the Hearing open to March 27, 2012.

120184 [Approving Planning Commission Decision Related to Conditional Use Authorization - 1111 California Street]

Motion approving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to March 27, 2012. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Olague
Excused: 3 - Chu, Cohen, Wiener
Absent: 1 - Mar

120185 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 1111 California Street; Approving Conditional Use as Modified by the Board of Supervisors]

Motion disapproving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to March 27, 2012. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Olague
Excused: 3 - Chu, Cohen, Wiener
Absent: 1 - Mar

120186 [Preparation of Findings Related to the Conditional Use Authorization - 1111 California Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to March 27, 2012. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Olague
Excused: 3 - Chu, Cohen, Wiener
Absent: 1 - Mar

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library and open government.
Ray Hartz; expressed concerns relating to the SF Public Library and open government.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed various concerns relating to family values.
Patty Sinn; expressed concerns relating to the transfer tree project.
Douglas Yep; expressed various concerns.
Tony Bowles; spoke in support for medical cannabis.
Male Speaker; spoke in support for medical cannabis.
David Welsh; spoke expressing concerns relating to foreclosures.
Morningstar Vancil; expressed various concerns relating to noise.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120247 [Accept and Expend Grant - Evaluating the Impact on Student Nutrition and National Food Programs of Eliminating Competitive Meals in Schools - $49,090]
Sponsor: Olague
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $49,090 from the Robert Wood Johnson Foundation to participate in a program entitled "Evaluating the Impact on Student Nutrition and National Food Programs of Eliminating Competitive Meals in Schools" for the period of November 1, 2011, through October 31, 2012.

Resolution No. 102-12

ADOPTED

120248 [Accept and Expend Grant - Juvenile Detention Reform - $34,603]
Sponsor: Olague
Resolution authorizing the Department of Juvenile Probation to retroactively accept and expend a grant in the amount of $34,603 from the Annie E. Casey Foundation for continuing support of the juvenile justice reform activities at the Juvenile Probation Department.

Resolution No. 103-12

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Avalos, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Avalos, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

120261 [Professional Social Work Month - March 2012]
Sponsor: Avalos
Resolution declaring March 2012 as Professional Social Work Month in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 120261. There were no speakers. The President declared public comment closed.

Resolution No. 104-12

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar, Olague
Excused: 3 - Chu, Cohen, Wiener

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

120282 [Contract Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Waiver of Certain Bidding and Contracting Requirements]
Sponsor: Mayor
Ordinance waiving competitive bidding and solicitation requirements of the Administrative Code and authorizing the Director of the Port to execute an amendment to the Port's contract with Turner Construction Company to perform certain improvements to Piers 27-29, Piers 19 and 23, and to Piers 30-32; or alternatively, to enter into an agreement with second highest-ranked proposer for the Pier 27 Cruise Ship Terminal and Northeast Wharf Plaza Project for the improvements or enter into an agreement with the America's Cup Event Authority for assignment of its contract with Power Engineering Construction Company to the Port for improvements to Piers 30-32 related to the 34th America's Cup Event and exempting the assigned agreement from contracting requirements of the Administrative Code and Environment Code; and further, authorizing the Director of the Port to enter into a contract with AECOM for engineering services for improvements to Piers 30-32 related to the 34th America's Cup Event.
(Fiscal Impact)

03/20/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120283 [De-Appropriating $6,672,963 in Salaries and Fringe Benefits and Re-Appropriating to Overtime in the Fire Department for FY2011-2012]
Sponsor: Mayor
Ordinance de-appropriating $8,500,000 consisting of $5,000,000 in salaries and $3,500,000 in fringe benefits in the Fire Department's operating budget and re-appropriating $8,500,000 to overtime in order to support the department's projected increases in overtime as required per Ordinance No. 194-11, and requires a two-thirds vote of all members of the Board of Supervisors for approval.

03/20/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120284 [De-Appropriating $2,525,468 in Fringe Benefits and Re-Appropriating to Overtime in the Police Department for FY2011-2012]
Sponsor: Mayor
Ordinance de-appropriating $3,000,000 in fringe benefits in the Police Department's operating budget and re-appropriating $3,000,000 to overtime in order to support the department's projected increases in overtime as required per Ordinance No. 194-11.
(Fiscal Impact)

03/20/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120285 [De-Appropriating $320,000 in Salaries and Re-Appropriating to Overtime in the Public Utilities Commission for FY2011-2012]
Sponsor: Mayor
Ordinance de-appropriating $320,000 consisting of $250,000 in salaries in the Public Utilities Commission Clean Water Department operating budget and re-appropriating $250,000 to overtime, and de-appropriating $70,000 in salaries in the Public Utilities Commission Hetch Hetchy Power Department and re-appropriating $70,000 to overtime, in order to support the department's projected increases in overtime as required per Ordinance No. 194-11, and requires a two-thirds vote of all members of the Board of Supervisors for approval.

03/20/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

111077 [Police Code - Security Plans for Commercial Parking Garages and Lots]
Sponsors: Chiu; Wiener
Ordinance amending the San Francisco Police Code Sections 1215 through 1215.4 and adding Section 1215.7 to: 1) require a security plan as part of an application for a commercial parking permit; 2) set requirements for security plans; 3) authorize the Chief of Police to suspend or revoke a commercial parking permit for violation of an approved security plan; 4) authorize the Chief of Police to promulgate rules that set requirements for security plans; and 5) authorize enforcement by the City Attorney in a civil action; and making environmental findings.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 11/3/2011.

10/14/11; REFERRED TO DEPARTMENT.

03/20/12; SUBSTITUTED AND ASSIGNED to Public Safety Committee.

120188 [Planning, Building Codes - Fee Waiver Program - Small Business Month - May 2012]
Sponsors: Chu; Mar and Kim
Ordinance: 1) recognizing Small Business Month in May 2012; 2) amending the San Francisco Planning and Building Codes to waive fees for the month of May for certain façade improvements. 3) making findings including environmental findings, findings of consistency with the General Plan, and priority policies of Planning Code Section 101.1.

02/28/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/29/2012.

03/06/12; REFERRED TO DEPARTMENT.

03/12/12; RESPONSE RECEIVED.

03/20/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

Resolutions

120286 [Support for State and Federal Measures to Protect Homeowners and Suspension of Foreclosure Activities in San Francisco]
Sponsors: Avalos; Campos, Chiu, Kim, Mar, Olague and Cohen
Resolution supporting the California Homeowner Bill of Rights; urging City and County officials and departments to protect homeowners from unlawful foreclosures; and urging City contractors and all mortgage and banking institutions, especially San Francisco-based Wells Fargo, to suspend foreclosure activities and related auctions and evictions until State and Federal measures to protect homeowners from unfair and unlawful practices and provisions for principal reductions are in place.
03/20/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120287 [Master Tournament Agreement Amendment - Harding Park Golf Course - PGA TOUR, Inc.]
Sponsor: Elsbernd
Resolution approving and authorizing the execution of a Third Amendment to the Master Tournament Agreement with PGA TOUR, Inc., for the use of Harding Park Golf Course for certain professional golf tournaments.
(Fiscal Impact)
03/20/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120288 [Acceptance of Gift of Nursery for Golden Gate Park Botanical Garden]
Sponsors: Mar; Olague and Chu
Resolution accepting a gift-in-place to the City and County of San Francisco of the San Francisco Botanical Garden Nursery: Center for Sustainable Gardening valued at approximately $14,000,000; and making findings, including environmental findings.
03/20/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120289 [Apply for, Accept and Expend Grant - California Catalyst Community Grant Program - $1,350,000]
Sponsor: Mayor
Resolution authorizing the Director of the Office of Economic and Workforce Development to apply for, accept and expend grant funds in the amount of $1,350,000 from the California Department of Housing and Community Development's Catalyst Community Grant Program.
03/20/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120290 [Apply For Caltrans Transportation Planning Grants]
Sponsor: Mayor
Resolution authorizing the Planning Department to apply for planning grants from the California Department of Transportation (Caltrans).

120291 [Recognizing International Day Against Homophobia and Transphobia]
Sponsors: Campos; Olague, Kim, Chiu and Avalos
Resolution recognizing International Day Against Homophobia and Transphobia and calling upon City officials to lower the American and United Nations Flags in United Nations Plaza for a 24-hour period on May 17, 2012.

120292 **[Supporting Assembly Bill 1831 - Regarding Expansion of California's "Ban the Box" Policy]**
Sponsors: Olague; Campos and Avalos
Resolution supporting Assembly Bill 1831, which expands California's "Ban the Box" policy for state and public employees to city and county workers statewide.

120293 **[Urging the Mayor and City Departments to Prioritize Youth Employment During Business Negotiations]**
Sponsor: Olague
Resolution urging the Mayor and City Departments to include Youth Involvement Plans when negotiating with new businesses coming to San Francisco, in order to increase the number of employment opportunities for San Francisco's young people.

Request for Hearing

120294 **[Hearing - Prevention of Trash and Recycle Bin Scavenging]**
Sponsors: Olague; Farrell
Hearing to request presentation from Recology and Department of Public Works regarding impacts of trash and recycle bin scavenging and the solutions to prevent the situation in both residential and commercial neighborhoods.

03/20/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

120238 **[Settlement of Lawsuit - Fonseca v. Fong, et al. - $73,000]**
Ordinance authorizing settlement of the lawsuit filed by Charles Fonseca against the City and County of San Francisco for $73,000 in attorney's fees and costs; the lawsuit was filed on May 4, 2007, in San Francisco Superior Court, Case No. CPF-07-507227; entitled Fonseca v. Heather Fong, et al. (City Attorney)

03/09/12; RECEIVED FROM DEPARTMENT.

03/20/12; RECEIVED AND ASSIGNED to Rules Committee.

120239 **[Settlement of Lawsuit - Preston, et al. v. CCSF, et al. - $100,000]**
Ordinance authorizing settlement of the lawsuit filed by Bonnie Preston against the City and County of San Francisco for $100,000; the lawsuit was filed on June 16, 2010, in San Francisco Superior Court, Case No. CGC-10-499015; entitled Bonnie Preston, et al. v. City and County of San Francisco, et al. (City Attorney)

03/09/12; RECEIVED FROM DEPARTMENT.

03/20/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

120217 [Street Artist Spaces - Market Street, North Side, Spear to Steuart Streets]
Resolution approving for six months designation of two temporary selling spaces on Market Street, North Side, Spear to Steuart Streets, for street artists certified by Arts Commission, City and County of San Francisco; and exempting said spaces from the regulations of Police Code Section 2405 relating to street artist display size. (Arts Commission)

03/07/12; RECEIVED FROM DEPARTMENT.

03/20/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120237 [Airport Professional Services Agreement - New South Parking - California - Not to Exceed $95,969,983]
Resolution approving the Professional Services Agreement for the management and operation of the Airport's Public and Employee Parking between New South Parking - California and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) (Fiscal Impact)

03/08/12; RECEIVED FROM DEPARTMENT.

03/20/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120253 [Airline/Airport 2011 Lease and Use Agreement - Various Airlines]
Resolution approving four new 2011 Airline/Airport Lease and Use Agreements between the City and County of San Francisco and various airlines, effective upon full City approval, to conduct flight operations at the San Francisco International Airport. (Airport Commission)

02/29/12; RECEIVED FROM DEPARTMENT.

03/20/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

In Memoriam

Takayuki Clarence Seki – Supervisor Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:02 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 24, 2012.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT DOCUMENTS DEPT
AUG 15 2013
SAN FRANCISCO PUBLIC LIBRARY

Tuesday, March 27, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Avalos, Kim, Cohen, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Avalos, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

First-named Supervisor is Chair, Second-named Supervisor is Vice-Chair of the Committee

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Mayor on March 21, 2012, communicating the Mayor's notice to the Board of Supervisors, under Charter Section 15.105, suspending Sheriff Ross Mirkarimi from the Office of Sheriff, filing of written charges of official misconduct, and seeking his removal from office.

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

120049 **[Appropriating $1,000,000 for the Small Business Revolving Loan Fund Program - Office of Economic and Workforce Development]**
Sponsors: Mayor; Chiu, Wiener, Olague, Farrell, Kim and Cohen
Ordinance appropriating $1,000,000 of General Fund prior year fund balance for the Small Business Revolving Loan Fund Program in the Office of Economic and Workforce Development for FY2011-2012 and placing $500,000 on Budget and Finance Committee Reserve pending an update on the program.
(Fiscal Impact)

Ordinance No. 052-12

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Public Safety Committee

120046 **[Administrative Code - Establish Policy Regarding Participation in Federal Counterterrorism Activities]**
Sponsors: Kim; Avalos, Campos, Chiu, Olague and Mar
Ordinance amending the San Francisco Administrative Code by adding Section 2A.84 to: 1) set City policy regarding participation in Federal counterterrorism activities; and 2) set parameters for Police Department participation in the activities of the Federal Bureau of Investigation's Joint Terrorism Task Force and other counterterrorism activities.
NOTE: This action requires a two-thirds vote pursuant to Charter Section 2.106. The Board may not amend the ordinance and may only veto in favor or in opposition to veto override. The Mayor's veto was received on April 10, 2012. Therefore, the Board of Supervisors will lose the ability to override unless it votes on the veto override on or before May 10, 2012.

Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to April 3, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Supervisor Avalos was noted absent at 2:37 p.m. and noted present at 2:45 p.m.
Supervisor Olague was noted absent at 3:06 p.m. and noted present at 3:14 p.m.
Supervisor Elsbernd was noted absent at 3:58 p.m. and noted present at 4:19 p.m.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

120170 [Hearing - Amendments to the 34th America's Cup Project and Related Transactions, and Resolution of Intent to Form the Waterfront Infrastructure Financing District]

Hearing of persons interested in or objecting to amendments to the proposed Resolution approving the 34th America's Cup Project and related transactions, and the proposed Resolution of Intent to Form the Waterfront Infrastructure Financing District. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the amendments of the proposed Resolution approving the 34th America's Cup Project and related transactions, and the proposed Resolution of Intent to Form the Waterfront Infrastructure Financing District as referenced in File Nos. 120127 and 120128. Mike Martin (Mayor's Office of Economic and Workforce Development) and Brad Benson (Port) provided an overview of the amendments and responded to questions raised throughout the discussion. Male Speaker; Lloyd Purcell; Henry; David Fazio; Male Speaker; Eric Eversrly; Kimball Livingston; Dave Hill; Patric Kim; Veronica Sanchez; Martha Krupp; John Cisneros; John Husson; Ed Worley; Andrea Tobor; Valerie Santori; Fernanda Castello; Ace Washington; Carl Acne; Walter Paulson; Rakesh Modi; Female Speaker; Josh Swarzy; Eddy Hon; Andrew Watters; Norman Pearce; Catherine Hooper; Peter Stoneberg; Andrew Wood; Gary Hanes; Julie Smith; spoke in support of the amendments and the proposed project. Mr. Martin responded to questions raised throughout the discussion and further discussed the amendments. There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

From the Budget and Finance Committee Without Recommendation

120127 [Approving the 34th America's Cup Project and Related Transactions]
Sponsor: Mayor

Resolution adopting California Environmental Quality Act Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP) for the 34th America's Cup events and approving the America's Cup project; waiving certain termination rights by the City under the 34th America's Cup Host and Venue Agreement (Host Agreement); approving the Development and Disposition Agreement between the City, through its Port Commission, and the America's Cup Event Authority, LLC (Event Authority), which also amends the Host Agreement; approving a Memorandum of Agreement regarding the City's and the Event Authority's respective obligations for certain mitigation measures in the MMRP and other project-related activities; and authorizing further actions and ratifying prior actions consistent with the terms of this Resolution. (Fiscal Impact)
(Supervisor Avalos dissented in Committee)

Supervisor Chiu indicated amendments to the accompanying contract provided by Mike Martin (OEWD) included in File No. 120127.

Supervisor Chiu, seconded by Supervisor Kim, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Resolution adopting California Environmental Quality Act Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP) for the 34th America's Cup events and approving the America's Cup project; waiving certain termination rights by the City under the 34th America's Cup Host and Venue Agreement (Host Agreement); approving the Lease Disposition Agreement between the City, through its Port Commission, and the America's Cup Event Authority, LLC (Event Authority), which also amends the Host Agreement; approving a Memorandum of Agreement regarding the City's and the Event Authority's respective obligations for certain mitigation measures in the MMRP and other project-related activities; and authorizing further actions and ratifying prior actions consistent with the terms of this Resolution.

Supervisor Chiu requested to be added as a co-sponsor.

Resolution No. 109-12

ADOPTED AS AMENDED, after accepting the amendment of the accompanying contract, by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120128 [Resolution of Intention to Form Waterfront Infrastructure Financing District]
Sponsors: Mayor; Chiu

Resolution of Intention to establish Infrastructure Financing District No. 2 for the City and County of San Francisco at the Port of San Francisco.

Supervisor Chiu requested to be added as a co-sponsor.

Resolution No. 110-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Farrell, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to Cindy Brandon of SF Safe in recognition of her accomplishments and continued community support.

Supervisor Olague was noted absent at 4:39 p.m. and noted present at 4:47 p.m.

SPECIAL ORDER 4:00 P.M.

120183 [Public Hearing - Conditional Use Appeal - 1111 California Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission's January 19, 2012, approval of a Conditional Use Authorization identified as Planning Case No. 2011.0471C, by its Motion No. 18520, pursuant to Planning Code Sections 185(e) and 303, to continue the existing non-conforming assembly and entertainment uses of the "Nob Hill Masonic Center", and to continue the existing food and beverage service uses within the center, on a property within the RM-4 (Residential Mixed, Medium Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, located at 1111 California Street, Assessor's Block No. 0253, Lot No. 020. (District 3) (Appellants: Stephen Gomez on behalf of the Nob Hill Coalition, James Wall on behalf of the Nob Hill Association, William Terrell, Elizabeth Pomada, Donna Muse, and Aldo Caccamo) (Filed February 21, 2012).

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance. There were no speakers.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Hearing be CONTINUED to April 3, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Olague

The President CONTINUED the Hearing open to April 3, 2012.

120184 [Approving Planning Commission Decision Related to Conditional Use Authorization - 1111 California Street]

Motion approving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor Farrell, seconded by Supervisor Mar, moved that this Motion be CONTINUED to April 3, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Olague

120185 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 1111 California Street; Approving Conditional Use as Modified by the Board of Supervisors]

Motion disapproving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Mar, moved that this Motion be CONTINUED to April 3, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Olague

120186 [Preparation of Findings Related to the Conditional Use Authorization - 1111 California Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Mar, moved that this Motion be CONTINUED to April 3, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Olague

COMMITTEE REPORTS

Recommendations of the Land Use and Economic Development Committee

120141 [Permit of Northeast-Facing Wall Sign - Total Outdoor Corporation - 1650 Mission Street]

Resolution authorizing the execution of a permit to enter and use property for installation and maintenance of a northeast-facing wall sign at 1650 Mission Street by and between the City and County of San Francisco and Total Outdoor Corporation, a Delaware Corporation, permittee. (Real Estate Department)

NOT ADOPTED by the following vote:
Ayes: 5 - Chu, Elsbernd, Kim, Mar, Olague
Noes: 6 - Avalos, Campos, Chiu, Cohen, Farrell, Wiener

Supervisor Cohen, seconded by Supervisor Mar, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Privilege of the floor was granted to John Updike, Acting Director of the Department of Real Estate, who responded to questions raised throughout the discussion.

NOT ADOPTED by the following vote:

Ayes: 4 - Chu, Elsbernd, Kim, Olague
Noes: 7 - Avalos, Campos, Chiu, Cohen, Farrell, Mar, Wiener

120244 [Multifamily Housing Revenue Bonds - 1180 Fourth Street Family Housing]
Sponsor: Kim

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $48,155,000 for the purpose of providing financing for the acquisition and construction of a 150-unit multifamily rental housing project known as 1180 Fourth Street Family Housing; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

Resolution No. 106-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
Ray Hartz; expressed concerns relating to the Library Commission and open government.
Walter Paulson; shared in song certain concerns with the Board.
Douglas Yep; expressed various concerns.
Tony Bowles; spoke in support for medical cannabis.
Kevin Brown; spoke in support for medical cannabis.
Mattie Scott; expressed various concerns.
Mary Walker; expressed various concerns relating to the Sheriff Mirkarimi proceedings.
Michelle Rodriguez; spoke in support of proposed legislation relating to Assembly Bill 1831.
Karen Shane; spoke in support of proposed legislation relating to Assembly Bill 1831.
Barbara Tengeri, expressed various concerns relating to the Sheriff Mirkarimi proceedings.
David; spoke in support for medical cannabis.
James Chaffee; expressed concerns relating to the SF Public Library.
Charlie Pappas; spoke in support for medical cannabis.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120290 [Apply For Caltrans Transportation Planning Grants]
Sponsor: Mayor

Resolution authorizing the Planning Department to apply for planning grants from the California Department of Transportation (Caltrans).

Resolution No. 105-12

ADOPTED

120293 **[Urging the Mayor and City Departments to Prioritize Youth Employment During Business Negotiations]**
Sponsor: Olague
Resolution urging the Mayor and City Departments to include Youth Involvement Plans when negotiating with new businesses coming to San Francisco, in order to increase the number of employment opportunities for San Francisco's young people.

Resolution No. 111-12

ADOPTED

120297 **[Final Map 6325: 435 China Basin Street, and 420 and 480 Mission Bay Boulevard North]**
Motion approving Final Map 6325, a 329 Unit Residential and Three Unit Commercial Mixed-Use Condominium Project, located at 435 China Basin Street, and 420 and 480 Mission Bay Boulevard North; being a subdivision of Assessor's Block No. 8720, Lot No. 016, and Assessor's Block No. 3837, Lot No. 002; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M12-040

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Absent: 1 - Olague

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Campos requested that File No. 120291 be severed so that it may be considered separately.

120291 **[Recognizing International Day Against Homophobia and Transphobia]**
Sponsors: Campos; Olague, Kim, Chiu and Avalos
Resolution recognizing International Day Against Homophobia and Transphobia and calling upon City officials to lower the American and United Nations Flags in United Nations Plaza for a 24-hour period on May 17, 2012.

Supervisor Avalos requested to be added as a co-sponsor.

Resolution No. 108-12

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Elsbernd requested that File No. 120292 be severed so that it may be considered separately.

120292 [Supporting Assembly Bill 1831 - Regarding Expansion of California's "Ban the Box" Policy]
Sponsors: Olague; Campos and Avalos
Resolution supporting Assembly Bill 1831, which expands California's "Ban the Box" policy for state and public employees to city and county workers statewide.

Supervisor Avalos requested to be added as a co-sponsor.

Supervisor Elsbernd, seconded by Supervisor Cohen, moved that this Resolution be CONTINUED to April 3, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

120299 [Administrative Code - Extending Restrictions of the Apartment Conversion Ordinance to Corporate-Sponsored Short Term Occupancies; Allowing Civil Actions by Certain Non-Profit Entities]
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code Chapter 41A to extend the restrictions against converting apartment units to short-term occupancies to tenants or guests of corporate entities that rent such apartments; allowing civil actions to be brought by certain non-profit entities; and making environmental findings.

03/27/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/26/2012.

120300 [Planning Code - Article 10 - Landmarks Preservation]
Sponsors: Wiener; Olague
Ordinance amending the San Francisco Planning Code Article 10 in its entirety; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

03/27/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/26/2012.

120301 [Planning Code - Article 11 - Historic Preservation in the C-3 Districts]
Sponsors: Wiener; Olague
Ordinance amending the San Francisco Planning Code Article 11 in its entirety; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code section 101.1(b).

03/27/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/26/2012

Resolutions

120302 [Accept and Expend Grant - Ferry System Interoperability Enhancements - $1,121,795]
Sponsor: Elsbernd
Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $1,121,795 from the Department of Homeland Security, 2009 Port Security Grant Program for Ferry System Security Interoperability Enhancements at the Port of San Francisco.

03/27/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120305 [San Francisco Summer Jobs+ Campaign]
Sponsors: Olague; Campos, Avalos, Kim and Chu
Resolution urging the Mayor to launch a San Francisco Summer Jobs+ Campaign by identifying private and public sector funds, securing private sector job opportunities, and developing infrastructure to manage internships so as to increase the summer employment opportunities for San Francisco's disconnected young people.

03/27/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120306 [Apply For - Housing Related Parks Grants]
Sponsors: Mayor; Cohen and Kim
Resolution authorizing the Recreation and Parks Department to apply for grants from the California Department of Housing and Community Development.

120307 [Accept and Expend Grant - Books to Action - Economic Empowerment Book Club - $2,398]
Sponsors: Olague; Chu
Resolution authorizing the Public Library to accept and expend a Federal/State pass-through grant in the amount of $2,398 from the California State Library as part of the Federal Library Services and Technology Act to utilize highly skilled volunteers to assist young adults with their financial management needs.

Motion

120311 [Committee of the Whole - Contracts Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Wavier of Certain Bidding and Contracting Requirements - April 3, 2012]
Sponsor: Chiu
Motion scheduling the Board to sit as a Committee of the Whole on April 3, 2012, at 3 p.m., to hold a public hearing and consider an Ordinance authorizing the waiver of certain bidding, and contracting requirements of the Administrative Code, and authorizing the Director of the Port to execute contracts for certain improvements to Port property for the 34th America's Cup Event.

Requests for Hearing

120308 [Hearing - Impact of Flat Year-to-Year Budgeting on Nonprofit City Contractor Operations and Services]
Sponsors: Avalos; Chiu
Hearing to consider the impact of flat year-to-year budgeting on nonprofit City contractor operations and services as well as the consideration of increasing cost of businesses and/or cost of living allowances to nonprofits contracting with the City in order to extend the delivery of City services.
03/27/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120309 [Hearing - 2011-2012 Annual Report on San Francisco Local Hiring Policy for Construction]
Sponsor: Avalos
Hearing and progress report on the Office of Economic and Workforce Development 2011-2012 Annual Report of the San Francisco Local Hiring Policy for Construction.
03/27/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120310 [Hearing - Needs of Seniors and Adults with Disabilities with Regards to Demographic Changes]
Sponsors: Olague; Avalos
Hearing to determine how the Department of Aging and Adult Services and other City departments are preparing for the projected surge in the senior population in San Francisco.
03/27/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

120312 [Hearing - Contracts Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Wavier of Certain Bidding and Contracting Requirements]
Hearing of persons interested in or objecting to proposed Ordinance authorizing the waiver of certain bidding, and contracting requirements of the Administrative Code, and authorizing the Director of the Port to execute contracts for certain improvements to Port property for the 34th America's Cup Event. (Clerk of the Board)

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

120256 [Public Infrastructure Improvements - Mission Bay South-Sanitary Sewer Pump Station]

Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Sanitary Sewer Pump Station, including acquisition facilities located on and under portions of State Trust Parcel 2; 2) accepting said facilities for City maintenance and liability purposes; 3) adopting environmental findings and findings that such actions are consistent with the City's General Plan eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; 4) accepting a Department of Public Works Order; and 5) authorizing official acts in connection with this Ordinance. (Public Works Department)

03/15/12; RECEIVED FROM DEPARTMENT.

03/27/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120257 [Public Infrastructure Improvements - Mission Bay South-66" Sewer Force Main Relocation]

Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay 66" Sewer Force Main Relocation, including acquisition facilities located under portions of State Trust Parcel 8 and future Owens Street between Sixteenth Street and Mariposa Street; 2) accepting said facilities for City maintenance and liability purposes; 3) adopting environmental findings and findings that such actions are consistent with the City's General Plan eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; 4) accepting a Department of Public Works Order; and 5) authorizing official acts in connection with this Ordinance. (Public Works Department)

03/15/12; RECEIVED FROM DEPARTMENT.

03/27/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120258 [Settlement of Lawsuit - Bigeleisen v. CCSF - $30,000]

Ordinance authorizing settlement of the lawsuit filed by David Bigeleisen against the City and County of San Francisco for $30,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507900; entitled David Bigeleisen, v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney)

03/16/12; RECEIVED FROM DEPARTMENT.

03/21/12; RECEIVED AND ASSIGNED to Rules Committee.

120259 [Settlement of Lawsuit - Donna Murray v. CCSF - $245,000]

Ordinance authorizing settlement of the lawsuit filed by Donna Murray against the City and County of San Francisco for $245,000; the lawsuit was filed on September 22, 2010, in San Francisco Superior Court, Case No. CGC-10-503853; entitled Donna Murray v. City and County of San Francisco, et al. (City Attorney)

03/16/12; RECEIVED FROM DEPARTMENT.

03/27/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

120255 [Contract Amendment - War Memorial Veterans Building Seismic Upgrade and Improvements Project - Not to Exceed $11,621,721]

Resolution authorizing the Director of Public Works to execute an amendment to the Executive Structural Engineering and Consultant Services for the War Memorial Veterans Building Seismic Upgrade and Improvements Project to increase the not-to-exceed amount from $2,758,445 to $11,621,721. (Public Works Department)
(Fiscal Impact)

03/14/12; RECEIVED FROM DEPARTMENT.

03/27/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120260 [Real Property Lease - Aardvark Storage Unlimited, Inc. - 600 Amador Street, Seawall Lot 344]

Resolution approving Port Commission Lease No. L-14819 with Aardvark Storage Unlimited, Inc., for paved vacant land located at 600 Amador Street within Seawall Lot 344 in the Southern Waterfront with a sixty month term and a sixty month option. (Port)

03/19/12; RECEIVED FROM DEPARTMENT.

03/27/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

In Memoriam

Dr. Engracia Escobar Borja – Supervisors Kim, Olague, and Avalos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:45 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 1, 2012.

Angela Calvillo, Clerk of the Board

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